

**V. Application Submission Document to Establish a BSU Charter School**



**Office of Charter Schools**

**Ball State University**

**Teachers College 910**

**Muncie, IN 47306**

*<http://www.bsu.edu/teachers/charter>*

## A. Information Sheet

### 1. School Information

Proposed Name of Charter School

**The Evergreen Academy**

Proposed Location (School District)

Alexandria Community Schools

Planned Enrollment and Grades	Grades Served	Proposed Enrollment
Year 1	K-8	225
Year 2	K-8	225
Year 3	K-8	250
Year 4	K-8	275
Year 5	K-8	300

Desired School Opening Date

8/23/12

### 2. Proposed Affiliations

Educational Management Organization (if any)

Public Contact Info (Name & Phone #)

### 3. Lead Applicant Contact Information

Lead Applicant Name

Alexandria Charter School Foundation, Inc.

C/O Cindy Smith

Mailing Address

6405 North CR 500 E.

City

Muncie

Zip Code

47303

E-Mail Address

s.cynthia@att.net

Primary Phone #

(937) 545-8884

Secondary Phone #

(765) 288-1529

Lead Applicant Media Contact Phone #

Cindy Smith (937) 545-8884

Signature

**Submit Completed Proposal to:**

**Office of Charter Schools • Ball State University • Teachers College 910 • Muncie, IN 47306**

## B. Application Summary

### 1. Charter School Name

**The Evergreen Academy**

### 2. Charter School Location

10926 North County Road 200 East, Alexandria, IN 46001

### 3. Anticipated Opening Date

**August 23, 2012**

### 4. Management Organization Name (if applicable)

N/A

non profit or for  
profit

### 5. Other Partner Organization(s) (if applicable)

### 6. Student Population and Grades Served

	School Year	Grades Served	Total Enrollment
Year 1	2012-13	K-8	225
Year 5	2016-17	K-8	300

### 7. Applicant(s) The Alexandria Charter School Foundation, Inc.

Name	Bio
<b>Cindy Smith</b>	Educator with over 20 years of experience in public school administration that includes grant writing and grant management (both programmatic and fiscal operations) contract procurement, and new project development.
<b>John Jacobs</b>	Business entrepreneur and local realtor in Alexandria. Alexandria Chamber of Commerce board member.
<b>Kelley Graves</b>	Educator with 10 years of public school teaching and administrative experience with at-risk, high needs populations.
<b>Dr. Susan Fisher</b>	Educator with over 10 years of public school teaching experience, and 23 years of university teaching experience at Ball State and Indiana Wesleyan University. Supervisor of Student Teacher Placement from I.W.U. campus to local public schools.
<b>Valerie Jerrils</b>	Home School Educator and community representative. Mrs. Jerrills is one of the founding members of the Alexandria Charter School Foundation Board.

### 8. Proposed Board of Trustees

Name	Bio
Cindy Smith	See above: Outgoing Board President
John Jacobs	See above: Incoming Board President
Valerie Jerrils	See above
TBA	Fiscal/Accounting Background
TBA	Legal Background
TBA	Incoming Education Representative

## 9. Overview of the Proposed Program

*Mission: The Evergreen Academy exists to offer students the most innovative, rigorous, and relevant education to prepare students for the demands of being good citizens, strong leaders, lifelong learners and prepared workers in the rapidly changing society of the 21<sup>st</sup> Century.*

*Vision: At the Evergreen Academy, students will have an opportunity to learn the discreet skills stated in the core academic content standards through contextualized lessons with environmental themes and hands on projects. In this way, children are not only developing knowledge in the context of the real world, but they are given authority to create their own learning experiences, test out the various ways in which information can be acquired, and ultimately be responsible for the results of their own learning. In simple terms, they are learning how to learn.*

The Evergreen Academy believes in the ability of every child – regardless of background -- to succeed. Given the poor academic achievement of local schools, we believe the need for better schools in the Alexandria area is fairly self-evident. Offering an innovative “green school” environment in which to educate our future citizens with rigorous instruction coupled with project-based learning opportunities, students will graduate from middle school with the tools to problem solve, think creatively, and identify resources to achieve their scholastic and personal goals. The economic future of local children and the economic future of east central Indiana area depend on the current and future quality of its human capital. We also believe that it is the school’s responsibility to attend to a student's character development in a meaningful way through project-based learning experiences, explicit instruction, positive reinforcement, and opportunities for students to put good intention into practice.

The school year will consist of 180 days of instruction for students, and will provide instruction from 8 to 4:30, the last hour being utilized for remediation and unique opportunities for students to participate in arts, music, dance, cooking and athletic challenges. The full scope of academics will be offered to students, including English Language arts, math, science, social studies, and arts. Many units during the year will be theme based on environmental topics and on creating a “green” future for our community. By providing multiple opportunities to become active learners... using bodies, brains and resources....students will be able to think in depth about what they are learning and apply their knowledge across curriculum areas.

The school leader will be a role model for students, actively engaged and interested in the class projects and in student achievement. The school leader will solicit feedback from all constituent groups to help



shape the course of the school, and create a larger impact on the school as well as the community. The school leader, along with a business services manager, will report school activities, actions, problems and successes to the Evergreen Academy Charter School Board. In this way, the board members are informed and enthusiastic champions of the school, and will advocate for the school in the community. Board members will be invited and encouraged to visit the school often and participate in the culture of learning.

The school environment will be one where students are busily engaged in learning, and all students have a respect for each other, for the staff, their families and the school itself. This will be as a result of a school-wide philosophy and adoption of the “Teaching Tolerance” tenants. As one moves through the school, it will be evident that all students are welcome, and have the same potential for learning as you and I. Students learn in different ways, and it is our job to provide instruction in a way that matches their learning styles.

The Evergreen Academy will go above and beyond the scope of work traditional schools can perform by truly engaging the parents in the workings of the school. Parents will have voices in the school management, be partners in educating their children, and *all* family members will have opportunities to improve their own literacy and life skills.

The Evergreen Academy will be located in Alexandria, Indiana in the former Cunningham Elementary School Building, which is currently unoccupied. The site has six acres surrounding it that will become a living learning lab for students and families to enjoy.

Attach as PDF’S (Portable Document File - Adobe® named, **Attachment B: Expanded Criminal History Checks**

## Preliminary Information

### 1. Community Support and Demand

#### a. District Support:

The Alexandria Charter School Foundation Board (ACSFB) proposes to open and operate the Evergreen Academy within the boundaries of the Alexandria Community School district. Understanding the potential conflict of opening a charter school within the boundaries of the Alexandria-Monroe School District, the ACSFB President, Cindy Smith, met with the Superintendent of the Alexandria-Monroe Schools, Dr. Alice Mehaffey in July of 2011 to discuss the impact a charter school may have, and to discuss partnership opportunities between the current public school district and the proposed new charter school. The initial meeting yielded positive results with an agreement that the two could co-exist if communication was maintained and the goal remained to offer the best educational options to students in the area. Through a series of discussions with Dr. Mehaffey, Cindy Smith and the proposed school leader for the Evergreen Academy, Kelley Graves, two student populations have specifically been identified as candidates for referral to the new charter school. Those populations are the profoundly disabled elementary and middle school students, and the high risk, underperforming students of the same grade levels. Currently, the profoundly disabled students are transported to Anderson to attend a consortium school since Alexandria Community Schools does not have the capacity to serve this population of students. The high risk, underperforming students are those whose ISTEP+ scores have not reflected grade level achievement of reading and math skills in the previous year. Those students would be referred to Evergreen Academy for intensive remediation and subsequent education in a rigorous and smaller learning community. Other students targeted to attend the Evergreen Academy will come from areas outside of Alexandria, including Marion, Muncie and Anderson, all underperforming large urban school districts. Alexandria-Monroe Schools also commit to shared professional development activities between the two schools, consultation with their Special Education staff, limited transportation of the disabled students, and shared resources, such as the same independent bus drivers serving both schools when scheduling permits. As the Evergreen Academy grows and establishes its reputation for quality, it also was agreed that both schools along with the private school in Alexandria would work with the local Chamber of Commerce to market our school partnership to the public as the best example of “cooperation in education” in central Indiana. Smaller districts potentially affected by the presence of the Evergreen Academy include Delaware Community, Frankton-Lapel, Elwood, and Wes-Del school systems.

**b. Community Support:**

The support for the charter school concept has grown incrementally over the past few months and years as the community becomes more educated about the purpose of charter schools. Although still perceived as a threat to the traditional public education system, most adults agree that offering parents a choice in education to match the needs of students to the appropriate educational program is important. Attendance to a summer meeting with the Alexandria Chamber of Commerce yielded the spoken concerns that are representative of the community at large. Those concerns were: Is the presence of a charter school going to pull students away from the local private elementary school? Will there be financial hardship to the public school system? Will there be any assurance that the charter school will be offering a quality education? Will the charter school's facilities be maintained appropriately? Why do we need another school option in a small community like Alexandria?

The Madison/Delaware/Grant county area has few charter schools currently operating. This deficit has been mitigated slightly with the addition of the Hoosier Academy (Muncie), the Anderson Preparatory Academy, and the Dr. Robert H. Faulkner Academy (Marion). However, this area of the state has a deficit of charter or public schools of choice available to Alexandria area residents.

c. Student Demand:

Alexandria is strategically placed between three population centers: Muncie, Anderson and Marion. All three of these economically challenged towns have school systems that perform at the bottom of ISTEP achievement levels in Indiana. The poorest-achieving schools are typically situated in economically depressed areas. Wealthier residents have the choice to move to better neighborhoods or nearby cities to avoid poorly performing schools. A public school of choice would allow parents living near poorly performing schools to send their children to a well-performing school of their choice. The economically depressed areas of Delaware and Madison counties are expanding and include both urban and rural communities.

Other data that supports the need for a quality public school is the breakdown of the traditional family. Local and national statistics show that a high percentage of young boys have no positive male role model in their lives. If a student comes from a dysfunctional home environment that lacks parental support or discipline, sending them to a non-performing school that fails to have structure or discipline is a double hurdle that most children cannot overcome. Asking a child with these two critical disadvantages to compete will result in a young adult with a low-value skill set for the international labor market.

Looking at 2010 report card data from IDOE, in the three large underperforming school districts of Marion, Muncie and Anderson, over 1600 students did not pass both the Math and English language arts assessments in the middle school grades. These three districts have a population of almost 4,300 middle school students. Quite alarmingly, in 2009-10 there were nearly 1,200 suspensions and 78 expulsions, 37 of those involving drugs, alcohol or weapons. Also, there were 598 students who had unexcused absences of 10 days or more...nearly 14% of all students.

In a May 16, 2011 press release from the Indiana Department of Education, over 3,500 students are now on waiting lists for the opportunity to attend a public charter school. It is reasonable to believe that a high percentage of the students on waiting lists are attached to the larger public schools with poor performance outcomes. Preliminary 2011 PL221 results show a short list of the most distressed schools in Indiana. Marion High School remains on the list with five consecutive years of results placing them in the Probation category. Only in 2011 has the status changed to the category of Academic Progress.

Below is a chart of the schools in the Alexandria area. The charts include the most recent 2011 academic ranking given by the Indiana Department of Education. Public Law 221 category placements measure the growth – and level -- of ISTEP scores. Although a few schools showed some relative improvement from past years by meeting AYP goals, the

absolute level of academic achievement of area schools remains low.

Beginning with the 2002-03 school year, The No Child Left Behind Act of 2001 (NCLB) has required schools to show annual improvements in the academic achievement of the overall student population and of identified student subgroups within the general population, including economic background, race and ethnicity, limited English proficiency and special education. AYP designations for Indiana school corporations and schools are determined by student achievement and participation rates on the Indiana Statewide Testing for Educational Progress-Plus (ISTEP+) in English/language arts and mathematics; student attendance rates (for elementary and middle schools); and high school graduation rates (for high schools). Under NCLB, schools must make AYP in all student groups in order to meet AYP. The goal of NCLB is for all students to achieve proficiency in English/language arts and mathematics by 2014.

The Evergreen Academy is proposing a school to serve K-8 students, with an intensive focus on the middle school grades where it seems so many students are failing to achieve.

**Public Law 221 2011 Category Placements and Percent Free/Reduced Lunch**

School	Exemplary Progress	Commendable Progress	Academic Progress	Academic Watch	Academic Probation	Free & Reduced Lunch (%)	Free Lunch State Ave.(%)
	A	B	C	D	F		
<b>Alexandria Community Schools</b>						49%	48%
Alexandria Monroe Intermediate			X				48%
<b>Anderson Community Schools</b>				X		70%	48%
Highland Jr High School					X		48%
North Side Intermediate School			X				48%
East Side Intermediate School				X			48%
<b>Delaware Community Schools</b>						37%	48%
Hoosier Academy					X	43%	48%
Delta Middle School				X			48%
<b>Marion Community Schools</b>						68%	48%
Justice Thurgood Marshall Int.					X		48%
J.L. McCulloch Jr. High				X			48%
<b>Muncie Community Schools</b>						74%	48%
Northside Middle School				X			48%
Wilson Middle School				X			48%
<b>Frankton -Lapel Community</b>						33%	48%
Frankton Jr-Sr High School				X			48%
Frankton-Lapel Middle		X					48%
<b>Elwood Community Schools</b>						66%	48%
Elwood Community Middle				X			48%

As can be seen from the above chart, 11 of 14 (78%) of middle schools are in the lowest two categories of the state report card.

The relationship with the Alexandria Schools will have a referral component, providing approximately 20 students with profound special needs to the Evergreen Academy for services. Students with special needs will be as fully integrated into the culture, routine and family of the Academy as possible to respect their rights to the least restrictive environment. Evergreen Academy will place highly qualified teachers, therapists, and medical support staff at the site to assure that students will be able to realize their full potential as learners. In addition, middle school students who fail to perform in the traditional school environment will also be referred to Evergreen. The smaller class sizes, sense of belonging, frequent communication with parents, high level of accountability to each other, to the staff and school, along with rigorous yet hands-on learning will serve this population of students well.

The Evergreen Academy believes in the ability of every child – regardless of background -- to succeed. Given the poor academic achievement of local schools, we believe the need for better schools in the Alexandria area is fairly self-evident. Offering an innovative “green school” environment in which to educate our future citizens with rigorous instruction coupled with project-based learning opportunities, students will graduate from middle school with the tools to problem solve, think creatively, and identify resources to achieve their scholastic and personal goals. The economic future of local children and the economic future of east central Indiana area depend on the current and future quality of its human capital. We are reminded of a jigsaw puzzle with a map of east central Indiana on one side and a child on the other. If you solve the child-side of the puzzle, you also solve the problem of putting east central Indiana together.

**d. Proposal Opposition:**

At this time, there is no formal opposition to the opening of a charter school in the Alexandria area. Meeting with the Chamber of Commerce in June of 2011 to invite questions and concerns opened the door to new discussions about the effect a charter school would have on the community and on the other schools operating locally. Those major fears of intrusion on the public school’s financial resources and the private school’s ability to hold its paying students were mostly put to rest with the partnership activities between the ACSFB and the Superintendent of Alexandria Schools.

## **2. Feedback from Constituents**

In the Spring of 2008, the founding board members asked Dr. Russell Wahlers of Ball State’s marketing department to facilitate a focus group to survey the attitudes of the local community about the desirability of a charter school. The focus group surveyed local attitudes about: academic performance of local schools, customer satisfaction with district schools, the need for more diversity in schools, the need for more choice in education, whether a charter school would help or hurt district schools, the level of knowledge about what a charter school is, the effect of a charter school on property taxes, the importance of small country schools versus consolidated school districts, whether they would be interested in sending children/grandchildren to a charter school, and finally, the impact of charter schools on local property values.

The respondents reported that a charter school would offer a higher quality educational option and recorded this as the most important issue. The second most important issue was the parents' freedom to choose where their children attend school. Among the participants, there was near unanimous consent that parents should have more choice about where to send their children to school. When asked if they would be interested in sending their children/grandchildren to a charter school in Alexandria, 10 of 10 said they would. Next in importance was that most participants lamented the lack of diversity in area education programs. Of less importance was the impact of the charter school on the local school district. Contrary to conventional public opinion, members of the focus group thought a charter school would actually help – not hurt – existing district schools. Surprisingly, the focus group participants had a fairly good idea of what a charter school is, and most supported the idea behind charter schools in general. Many focus group members lamented the decline of small country schools and the quality of education offered in a small rural setting relative to large consolidated school districts. Of least importance was the impact of the charter school on local tax and property values.

Also in 2008, a second method of surveying the community was used to determine whether more school choice options were wanted and if charter schools were understood by the community. 46 surveys were completed by individuals from several locations throughout Alexandria and from all economic groups. The table in Attachment 2 summarizes the responses along with updated survey results completed in 2011.

*Create and attach Table 2 to list the positive and negative attitudes toward the charter school, based on the needs assessment.*

Attach Table 2 as a PDF (Portable Document Form) named, **Attachment 2 – Attitudes Toward the Charter**

### 3. Applicant Founding Group

**a. Founding Group Members:**

Table 3a: Founding Group Members

Name	Relevant Experience/Skills and Role in Founding Group	Proposed Role(s) in School (if any)
Mrs. Cynthia Smith	<p>Educator with over 20 years of experience in public school administration that includes grant writing and grant management (both programmatic and fiscal operations) contract procurement, and new project development.</p> <p>Mrs. Smith is President of the Alexandria Charter School Foundation Board.</p>	Community Relations/Parent Involvement Specialist

Mr. John Jacobs	Business entrepreneur and local realtor in Alexandria as well as Alexandria Chamber of Commerce board member. Mr. Jacobs is one of the founding members of the Alexandria Charter School Foundation Board.	Board member
Dr. Susan Fisher	Educator with over 10 years of public school teaching experience, and 23 years of university teaching experience at Ball State and Indiana Wesleyan University. Supervisor of Student Teacher Placement from I.W.U. campus to local public schools.	Professional Development Leader from IWU; Parent In-service speaker.
Ms. Kelley Graves	Educator with 10 years of public school teaching and administrative experience.	Evergreen Academy School Leader
Ms. Elizabeth Andrews	Educator with 17 years of public school teaching and administrative experience, including being a former Director of Special Programs.	Evergreen Academy Special Education Supervisor
Mrs. Valerie Jerrills	Home School Educator and community Resident. Mrs. Jerrills is one of the founding members of the Alexandria Charter School Foundation Board.	Board Member
Mr. Doug Jacobs	Educator with over 20 years of public school teaching and administrative experience. Current Principal of the Anderson Preparatory Academy elementary school campuses (a Ball State authorized Charter School). Mr. Jacobs serves as an advisor to the Alexandria Charter School Foundation Board.	School Advisor and Mentor/ Board Member

**b. Founding Group Origin:**

The organizing group for this charter application is the Alexandria Charter School Foundation, Inc. This not-for-profit foundation was formed in 2007 with the specific intent to acquire a charter from Ball State to operate a school. The foundation is governed by a group of diverse leaders with proven past and current leadership success. The board has been intentionally selected to embrace diverse talents and areas of expertise. The foundation looks to expand the board over time as the need for new expertise or geographic representation is identified. The founding group was organized after the State report cards released by the Indiana Department of Education were showing the poor performance



results of not only the Alexandria School District, but of Muncie, Marion and Anderson as well. Mr. John Jacobs and Mrs. Valerie Jerrils were two of the original founding members who live and work in the local area. Early additions to the board in 2007 and 2008 included a nurse, a local paramedic and a minister. Through word of mouth information and personal invitations, the foundation board now includes three education professionals from administrative and teaching backgrounds, including one professor from Indiana Wesleyan University in Marion. The addition of consultants and advisors to the board has rounded out the expertise and experience of the planning team submitting this charter proposal.

**c. Proposal Development:**

The proposal development began as the target student population was being identified. Survey information and school data pointed the direction to what populations of students were not making adequate gains in the traditional public school setting. The original team of board members began to investigate what other charter schools in Indiana looked like, and then started the development process of a proposal to open a charter school in the Alexandria area. Alexandria was initially chosen because of its school district's IDOE report card data. As performance in the Alexandria School's improved, sub-groups of students with special needs as well as students who were from poverty became the target student population. The major contributors to the school design were John Jacobs, Board Member, Cindy Smith, Board President, Kelley Graves, Evergreen Academy's School Leader, and Elizabeth Andrews, Evergreen Academy's proposed Special Education Director. Authors of the grant proposal have been the latter three.

**d. Previous Submissions**

Prior submissions were in 2009 and 2010, under a different group make-up. A lack of educators on the board, and high facilities costs were items discussed with new board members as the items causing the rejection. Submissions were to Ball State, Office of Charter Schools.

## **4. Fiscal Impact**

*Describe the anticipated fiscal impact of the establishment of the proposed charter school on existing public and nonpublic school districts in the same geographic area.*

It will be difficult to judge the fiscal impact of the Evergreen Academy to any one individual school district until enrollment of students takes place. It is expected that collectively, if we achieve full enrollment of 225 students in year one, we will collectively have re-distributed nearly 1.3 million in state tuition support funding (per ADM) from the local schools to the Evergreen Academy.

## 5. Education Management Organization

a. Name of the Organization:

No Educational Management organization will be used to operate the Evergreen Academy.

b. Detailed explanation of the extent of the organization's proposed role in the governance, management and/or operation of the school;

N/A

c. Description of the process and criteria used to select the management organization,

N/A

d. Description of the role of the management company in selecting proposed members of the school's board of trustees

N/A

e. Attach Draft management contract or term sheet

f. Attach Due Diligence Questionnaire completed by the EMO.

If Applicable, submit your draft management contract or term sheet - as a PDF (Portable Document Form) named, **Attachment 5e - Draft Management Contract**

If Applicable, submit the due diligence questionnaire completed by the EMO - as a PDF (Portable Document Form) named, **Attachment 5f – Due Diligence Questionnaire**

## Education

## 6. Education Mission Goals

a. Mission statement:

*Explain what your school intends to accomplish and your plan for student achievement.*

- Core philosophy or underlying purpose of the proposed school

**Mission:** The Evergreen Academy exists to offer students the most innovative, rigorous, and relevant education to prepare students for the demands of being good citizens, strong leaders, lifelong learners and prepared workers in the rapidly changing society of the 21<sup>st</sup> Century.

**Vision:** At the Evergreen Academy, students will have an opportunity to learn the discreet skills stated in the core academic content standards through contextualized lessons with environmental themes and hands on projects. In this way, children are not only developing knowledge in the context of the real world, but they are given authority to create their own learning experiences, test out the various ways in which information can be acquired, and ultimately be responsible for the results of their own learning. In simple terms, they are *learning how to learn*.

Learning how to cooperate with others and use scientific inquiry methods to solve problems will teach critical problem solving skills that will serve students throughout their lifetimes. Offering a unique and strong parent involvement component that will help parents become well engaged in their children's education will have an impact on student and school outcomes. At The Evergreen Academy, we believe in a combination of: well-prepared teachers who work in a professional environment, high expectations for behavior and achievement, and a relentless approach to helping students reach those standards. Our teachers will create learning environments that are inclusive of all students, are characterized by engaging instruction that meets the needs of all learners, and show the students how knowledge is interconnected between academic subjects. We will work in close collaboration with parents/guardians and community agencies to ensure that the students' non-instructional needs are met. Through the use of class meetings and other class structures, we will promote an environment that builds a community of learners who support each other in their learning and where each student feels he or she is an important member of the community. The environment that we promote will include opportunities for teachers to build a professional learning community engaged in the important work of changing students' lives by doing whatever it takes to ensure each student's academic success.

We also believe that it is the school's responsibility to attend to a student's character development in a meaningful way through project-based learning experiences, explicit instruction, positive reinforcement, and opportunities for students to put good intention into practice through the implementation of a comprehensive character education program focused on the core values of Courage, Compassion, Hope, Respect, Responsibility, and Integrity. Additionally, the Evergreen Academy's priorities, as listed below, support its vision and mission.

- **Quality:** Commitment to excellence and the discipline to continually improve.
- **Customer Service:** Recognize that Alexandria Academy is a school of choice and therefore we will be responsive to the needs of parents, students, teachers and external partners.
- **Accountability and Discipline:** Individual and group responsibility and ownership for results, actions and decisions.

- **High Expectations:** Focus on clearly defined and measurable high expectations for academic achievement and conduct that make no excuses based on the background of students.
- **Attendance:** Commitment to regular school attendance and after school activities is a must in order to be successful.
- **Power to Lead:** The principal of our campus will be an effective academic and organizational leader who understands that a great school requires a great school leader. The principal is the leader for the day-to-day operations of the school, and is charged with the responsibility to carryout the mandates of the board.

More specifically, the school will focus on the following short and long-range goals:

1. *Quality Leadership:* The Evergreen Academy will maintain the strongest possible principal and leadership team to guide the school forward with a focus on building a school-wide culture of academic excellence, high expectations for all, tolerance, and a high degree of accountability to students, families, staff, community, and Ball State University, Office of Charter Schools.
2. *Student Achievement:* Evergreen Academy students will show consistent growth and an increasing number of passing scores on all required Indiana State Standardized tests.
3. *Student Attendance:* Evergreen Academy believes that poor attendance cannot and should not be a barrier to student learning. We will work with students and parents to post an average student attendance percentage of 90% or higher by the end of the first year, increasing thereafter to a sustained average of 95% or higher.
4. *Parent Satisfaction:* Parent surveys will indicate a high level of satisfaction with the Evergreen Academy and with its promotion of student success and family involvement.
5. *Student Grade Promotion:* The following will be taken into account when reviewing a student's eligibility for promotion: test scores on all required Indiana State Standardized tests, attendance, classroom work, teacher observations of student behaviors, and internal assessments. Test modifications on the Individualized Education Plan (IEP) and specified criteria for promotion will be taken into account for students with IEPs.
6. *Operational and Financial Soundness:* The Evergreen Academy will comply with all applicable legal requirements. The Evergreen Academy will also make responsible financial decisions and demonstrate sound fiscal practices and management as evidenced by annual independent audit.

- A concise plan for an innovative public school that will lead to improved educational performance

The Evergreen Academy will provide an educational opportunity like none other in this area. Building on the heritage of agrarian roots and Midwestern values, the Evergreen Academy will link as many learning experiences to outcomes that are relevant, authentic, and foundational to higher order processes and concepts. Evergreen will be as close to a “green school” as possible. Site renovations prior to opening will include many functional and design elements that allow the building to be energy efficient, and cost effective to operate. Students will be exposed on a continuous basis throughout their time at Evergreen to the reasons behind conservancy of precious resources and the rewards of environmental stewardship. This theme will recur at points during the year as environmental education becomes an embedded theme in lessons across the curriculum.

Educational performance will not only be measured by growth in ISTEP+ scores, but by compiling a portfolio of successes and attributes of students as they complete projects and demonstrate what they have learned. It is believed that receiving students into the Evergreen Academy will present opportunities to “unpack” the baggage that accompanies middle school and elementary students where the most recent school memories are of frustration and failure. Rebuilding self-worth and remodeling beliefs about each student’s competency as a learner will be initiated in an orientation week of self-discovery prior to the start of each school year. The orientation will be held for four days at Camp Webster, an hour and a half north of Muncie. Camp Webster was chosen because it offers all facets of an environmental education lab, and is close enough to allow frequent visits during the school year and in the summer. During this orientation week, new and returning students will learn the basic tenants of our mission and philosophy, practice the habits of respect and responsibility that will be part of the daily life at Evergreen, and have several planned experiences that will allow the students to “recycle” themselves. Each student leaving the orientation will have completed physical and educational challenges, experienced success individually and as part of a team, and been repeatedly told that they are valued, loved and capable of doing what they decide they can do. Plans for community service projects will be decided upon prior to the school year. These projects may include cleaning up roadsides around town of litter, beginning a recycling program in the school, volunteering to serve as helpers/ushers/greeters during concerts and sporting events, etc.

During each school year, educational performance will improve as students realize their hands on work and study methods result in a new understanding of core concepts. Students will be allowed many opportunities to demonstrate what they know through submitting projects of their own choice, including writing song lyrics, creating and performing plays, writing and reciting poetry, creating art projects, giving lectures, and making presentations using technology. Because of the location of the Evergreen Academy school facility, the green space surrounding the building is an outdoor classroom for students to use for continual learning. Potential projects that will be year-long, and for all students of the school may include growing gardens, monitoring seasonal changes to plants and wildlife, keeping small farm animals for study, and learning about and observing agricultural seasons in the Midwest.

All during the year, students will be assessed for growth in multiple ways. High stakes tests will be the ultimate measure of learning and growth. Curriculum embedded assessments will be frequent and relevant. The Acuity system will provide remedial instruction when students are not progressing with the rest of the class. As stated above, demonstration projects that students can create to show mastery of material is encouraged and planned for in the weekly and monthly curriculum maps.

**b. Statement of Need:**

*Provide evidence there is a need for this type of school.*

- Attach Table (6b) to summarize achievement data for each grade level and subgroups you intend to serve.
- Describe why this charter school design/ model is an appropriate vehicle to address this need.

Motivation factors with students from 10-14 years of age (adolescent period) change for a variety of reasons that the school will not be able to control. However, by designing the Evergreen Academy to have a high level of parent involvement, there will be an expected increase in the level of motivation students will have during these elementary and middle school years. There is a strong relationship between parental involvement in schools and a child's motivation and academic achievement. The quality of the parent-child and parent-school relationship will influence adolescents' motivation and school success (Neofotistos, 1995).

School factors that may influence student success will be evident in the safe and supportive learning environment that will be provided by The Evergreen Academy. Establishing a sense of belonging and support among students is strongly associated with motivation, where as a lack of belonging may lead to isolation in school, and could eventually result in school failure (Goodenow, 1993).

The Evergreen Academy will address the unique motivational issues of adolescence and young children through using these research-based strategies in the classrooms and throughout the school:

- Provide ways for students to feel successful, thus build self- confidence.
- Teacher involvement...believing in potential creates potential.
- Use relevant and interesting texts for literacy practice.
- Allow students the ability to choose some of their assignments (project learning)
- Promote collaborative learning, and encourage the use of technology in projects.

Smaller class sizes, high parent involvement and providing a strict but caring environment that allows students to learn through methods that are more meaningful will provide the basis for success that larger schools cannot provide.

- Provide recognition of potential opportunities to improve services for students and parents.

Many research studies have proven that the level of a parent's education, particularly the mother's education has a direct link to the level of success children will have in school, and in completing high school, much less college. A plan is in place to offer a parent education classroom at the Evergreen Academy to provide high school coursework to assist parents who did not complete school to obtain a GED diploma.

Depending on the student population trends enrolling in the Evergreen Academy, the administration may partner with organizations to establish or expand services to the Hispanic populations that would include ESL classes, cultural immersion experiences for adults and children, as well as diversity celebrations in which the whole school can take part. This would be an opportunity to strengthen collaborative efforts with the Alexandria Schools, the City of Alexandria, and area churches and non-profit organizations.

As seen by the proposed daily schedule of activities, two 50 minute blocks are added at the end of the school day for supplemental course offerings. These blocks are part of the enrichment time for students to attend classes that may include music (instrumental or vocal), art, theatre, dance, cooking, pilates, weight-training, etc. All school clubs and student committees will use this block to schedule meetings. Tutoring time will be scheduled here for students needing one-on-one or small group reinforcement of school work. This block is also the time when students will serve any in-school detentions.

Enrichment courses will be led by college students from IWU or Ball State who have a background and training in, or are majoring in the content area. Exposure to successful college students as role models will further develop the students' sense of their own future beyond the k-12 schools.

Attach Table 6B as a PDF (Portable Document Form) named, **Attachment 6b – Achievement**

**c. School Demographics:**

*Describe your intended student population.*

The intended student population of the Evergreen Academy will be students in grades Kindergarten through 8<sup>th</sup> grade who live in Madison, Grant or Delaware County. We will prepare to serve the most academically and economically at risk students in this tri-county area. Specifically, we intend to serve student groups that include: Special needs students (disabled, non-English speakers), and middle school students from the surrounding districts who are failing to pass high stakes, mandated state tests.

- Complete Table(6c) showing the demographics of your school that includes: enrollment projections and teacher to student ratio.

Table 6c: Demographics of School

	Year One	Year Two	Year Three	Year Four	Year Five
Grades Served	K-8	K-8	K-8	K-8	K-8
Total Number Of Students	225	225	250	275	300
Student to Teacher Ratio	22:1	22:1	24:1	24:1	24:1



## 7. Instructional Design

### a. Alignment

*Describe how the instructional design aligns with the needs assessment.*

The instructional design of the Evergreen Academy is highly focused on student driven and instructor mentored learning experiences. The school itself will be a living lab of activity for environmental responsibility, focusing on opportunities to live “green” as a school family. This hands-on, discovery oriented learning design aligns with the needs assessment in the following ways:

- ❖ Project-based learning is the most appropriate way to instruct young learners using their own questions and interests to create the learning experiences.
- ❖ A diverse population of learners will need a variety of instructional approaches in order to acquire new knowledge and skills.
- ❖ Middle school students in particular, need more access to “active” learning exercises, and more choices in how to demonstrate knowledge.

### b. Measurable Goals

*Complete (Table 7b below): clear measurable goals and objectives that are rigorous but attainable and are aligned with State and Common Core State Standards (CCSS).*

Table 7b: **Goals and Alignment with State and Common Core Standards**

<i>Goals</i>	<i>Objectives</i>
<i>Student Achievement</i>	<i>The percentage of students meeting “Pass” cut scores on ISTEP+ in all tested areas will increase annually 3%.</i>
<i>Student Achievement</i>	<i>The percentage of students showing growth on ISTEP+ in all tested areas will increase annually 3%.</i>
<i>Student Achievement</i>	<i>Students will demonstrate 5% improvement from fall to spring on Acuity scores in all tested areas.</i>
<i>Student Achievement</i>	<i>Students entering the Academy working one grade level below their current grade level in literacy and math skills will reach grade level proficiency by the end of the first year.</i>
<i>Student Attendance</i>	<i>Students will post and average attendance rate of 90% or higher the first year, increasing thereafter to a sustained average of 95% or higher.</i>

### c. Support Table 7b with a brief narrative explaining how the educational program reflects a commitment to academic excellence for all students.

The Evergreen Academy will be educating a diverse population and realize that not all students will be on grade level when they enter our school. It will be our job to show

academic growth in all students through rigorous and relevant instruction on their level with the high expectation of individual growth.

- d. Explain the instructional design and how it supports the goals and objectives. If your instructional design requires a contract and/or major expenditure, list the amount here along with the line item in the budget.

The Evergreen Academy will be using Understanding by Design (Wiggins and Mctighe) as its instructional design model. Knowing our goals and objectives, all teachers can see where we want our students to be and work backwards to design all lessons by “beginning with the end in mind”.

### **Backwards Design**

The backwards design model centers on the idea that the design process should begin with identifying the desired results and then "work backwards" to develop instruction rather than the traditional approach which is to define what topics need to be covered. Their framework identifies three main stages:

- Stage 1: Identify desired outcomes and results.
- Stage 2: Determine what constitutes acceptable evidence of competency in the outcomes and results (assessment).
- Stage 3: Plan instructional strategies and learning experiences that bring students to these competency levels.

### **Steps teachers will take to utilize UbD:**

Step 1: Decide on the themes, enduring understandings and essential questions for the unit.

Step 2: Design a summative assessment for the end of the unit

Step 3: Align the unit with the Indiana State Standards/ Common Core Standards and choose outcomes, strategies and best practices to teach them.

Step 4: Choose the resources that will be needed to create a rich and engaging thematically-linked unit.

Step 5: Create the path or “roadmap” to reach the goal.

### **Our instructional design model is centered around the Understanding by Design Six Facets of Understanding:**

**explain** provide thorough and justifiable accounts of phenomena, facts, and data

**interpret** — tell meaningful stories, offer apt translations, provide a revealing

historical or personal dimension to ideas and events; make subjects personal or accessible through images, anecdotes, analogies, and models

**apply** — effectively use and adapt what they know in diverse contexts

**have perspective** — see and hear points of view through critical eyes and ears; see the big picture

**empathize** — find value in what others might find odd, alien, or implausible; perceive sensitively on the basis of prior indirect experience

**have self-knowledge** — perceive the personal style, prejudices projections, and habits of mind that both shape and impede our own understanding; they are aware of what they do not understand and why understanding is so hard

e. Describe how students have learning opportunities and experiences based on best practice.

**Our classrooms will exemplify best practices:**

- Project materials and books will be numerous.
- Students will be engaged and focused on their work.
- Students will have the opportunity for many fieldtrips to explore first hand concepts being taught in the classroom making learning more relevant.
- Teachers will use collaborative and/or authentic tasks that place students at the center of the learning process.
- Seating arrangements will be clustered, varied and functional with multi-instructional areas.
- Classrooms will be activity-based spaces as opposed to places to “sit and get” lectures.
- Teachers will be actively engaged with different groups and students are anxious to enlist visitors in their various tasks or assignments.
- There will be a joyful feeling of purposeful movement, industrious thinking and a vital and vibrant atmosphere and environment.

Best practice assessments provide valid, reliable and sufficient measures of the desired results. For example:

- Students are asked to exhibit their understanding through authentic performance tasks.
- Appropriate criterion-based rubrics are used to judge student products and performances.
- A variety of appropriate assessment formats are provided as additional evidence of learning.
- Students are encouraged to self-assess.

f. Explain how implementation of instructional strategies and methodology central to the design will be monitored for consistency, fidelity and impact.

School Administration is responsible for monitoring implementation of the instructional design, implementation, and consistency. Administration in collaboration with teachers will use specific proactive practices that help to ensure fidelity and impact of implementation that may include the following:

- Link interventions to improved outcomes (credibility)
- Definitively describe operations, techniques, and components
- Clearly define responsibilities of specific persons (consistency)
- Create a data system for measuring operations, techniques, and components (impact)
- Create a system for feedback and decision making (formative)
- Did student results reflect the intentional intended instructional results?
- Create accountability measures for non-compliance

g. Explain how formative and summative assessment will be used to inform instruction and refine your instructional design.

Formative and Summative assessment is an integral part of the Understanding by Design Instructional Design Model.

Formative assessment will be used throughout the instruction process to judge the progress of student comprehension. Lessons will be modified and concepts re-taught based on the formative assessments.

Summative assessments will be used to judge the outcome of the instruction. If students do not do well on the summative assessment, instruction will need to be repeated using a different process.

## 8. Calendar and Daily Schedule

Create and attach *Table 8*, to show how you will maximize academic learning time.

Attach Table 8 as a PDF (Portable Document Form) named, **Attachment 8 – Calendar and Daily Schedule**

## 9. Curriculum and Instructional Methods

- a. Provide an overview of the school curriculum and how it provides access to a common academic core for all students.

The Evergreen Academy will follow the Indiana Common Core Standards for all Curriculum Content for all subject areas in all grades.

The Common Core State Standards:

- are aligned with college and work expectations.
- include rigorous content and application of knowledge through high-order skills.
- build upon strengths *and* lessons of current state standards.
- are internationally benchmarked.
- are evidence and/or research-based.

The Common Core State Standards will

- help prepare all students with the knowledge and skills needed to succeed in college and careers..
- assist students who move between states.
- create the opportunity for America to compete for high-wage, high-skill jobs in a knowledge-based economy.
- allow for more focused pre-service education and professional development.
- create economies of scale around areas such as curriculum, instructional resources, and assessment.

**The Evergreen Academy will incorporate two different supplemental curriculums:**

**Indiana Department of Environmental Management’s curriculum “Indiana’s Environment and You”**

Indiana's Environment and You will help teach students their role in the environment and

how their choices impact them, their community and all of Indiana. Speakers will be brought in and students will have a hands on role in helping build The Evergreen Academy into an environmentally conscious example for all schools.

### **Literacy Navigator by Pearson**

Literacy Navigator® is a research-based, supplemental program that gives students the specialized skills necessary for comprehending complex informational text. The program meets the Common Core State Standards' requirements that students read materials of increasing text complexity, become proficient in reading informational text, and develop content-area literacy. By helping to close the gap between students' comprehension skills and the reading expectations they will encounter in the future, Literacy Navigator puts students on the path to achieving college and career readiness using environmental subject matter.

**b.** Describe how the curriculum links to the school's mission and instructional design.

All supplemental curriculum choices were made and will continue to be selected for their alignment to the Common Core Standards and their appropriateness for working with high needs children through instruction based on the following:

- High expectations for all students
- Standards based
- Hands-on activities and Cooperative Learning
- Research-based methods
- Project-Based Learning (PBL)
- Collaborative teaching
- Link to technology
- Out-of-classroom learning experiences
- Emphasis on environmental education
- Promotes development of character and tolerance for the differences of others

As often as possible, content will focus or be relevant to environmental issues and earth sciences.

**c.** Explain how you will ensure the curriculum and instruction are aligned to standards.

- Teachers will meet with School Leader prior to the first school day. The teachers must present a full year curriculum map of pacing they will use to cover all standards.
- Teachers will be required to turn in weekly lesson plans to the School Leader with standards covered listed for each activity. Plans will be posted in hallway outside each classroom for parents to view at any time.
- All standards will be posted on the wall in each classroom. There will be three areas: beginning, in progress, mastery. Each standard will be physically moved into each category as the year progresses. Teacher will be responsible for keeping post-

assessments to support mastery of each standard.

- d. Describe what instructional strategies and methodologies are central for all teachers to know and use. If your instructional strategies require a contract and/or major expenditure, list the amount here along with the line item in the budget.

**Understanding By Design:** is a framework for improving student achievement. Emphasizing the teacher's critical role as a designer of student learning, UbD works within the standards-driven curriculum to help teachers clarify learning goals, devise revealing assessments of student understanding, and craft effective and engaging learning activities.

**Project Based Learning:** is an instructional approach built upon authentic learning activities that engage student interest and motivation. These activities are designed to answer a question or solve a problem and generally reflect the types of learning and work people do in the everyday world outside the classroom.

**Cooperative Learning:** is a successful teaching strategy in which small teams, each with students of different levels of ability, use a variety of learning activities to improve their understanding of a subject. Each member of a team is responsible not only for learning what is taught but also for helping teammates learn, thus creating an atmosphere of achievement. Students work through the assignment until all group members successfully understand and complete it.

**Thematic Units:** is the organization of a curriculum around macro "themes." Thematic instruction integrates basic disciplines like reading, math, and science with the exploration of a broad subject, such as communities, rain forests, river basins, the use of energy, and so on."

**Learning Centers:**

- Students actively engaged in meaningful learning.
- Students working independently.
- A peaceful working environment that is conducive to small group instruction.

**Grammar, Spelling and Conventions:** Explicit instruction in grammar, usage and mechanics through mini lessons and connections to reading and themes.

**Guided Reading:** Provides every student with reading instruction at his/her own level during small group Guided Reading instruction. Students will also experience literature response, shared reading, partner reading, and teacher read-alouds

**6 + 1 Traits of Writing and Being A Writer:** Writers' workshop program teaches students the primary traits that good writers use: ideas, organization, voice, word choice, conventions, and presentation. Uses high quality children's literature to make connections

and provide examples of good writing.

**Saxon Math:** is a unique K-12 pedagogical approach, based on instruction, practice and assessment distributed across the grade level, incorporates 25 years of research and classroom experience.

**Reading A-Z:** Reading A-Z offers thousands of printable teacher materials to teach leveled reading, phonemic awareness, reading comprehension, reading fluency, alphabet, and vocabulary. The teaching resources include professionally developed downloadable leveled books, lesson plans, worksheets, and reading assessments.

## *Technology*

e. Describe how effective use of media and technology supports learning goals.

Representative of the Information and Communication Technologies Skills for 21st Century Global Citizens are the following six arenas critical to students' success in the workplace (Kay and Honey, 2005):

- **Communicate Effectively:** Students must have a range of skills to express themselves not only through paper and pencil, but also audio, video, animation, design software as well as a host of new environments (e-mail, Web sites, message boards, blogs, streaming media, etc.).
- **Analyze and Interpret Data:** Students must have the ability to crunch, compare, and choose among the glut of data now available Web-based and by other electronic formats.
- **Understand Computational Modeling:** Students must possess an understanding of the power, limitations, and underlying assumptions of various data representation systems, such as computational models and simulations, which are increasingly driving a wide-range of disciplines.
- **Manage and Prioritize Tasks:** Students must be able to manage the multi-tasking, selection, and prioritizing across technology applications that allow them to move fluidly among teams, assignments and communities of practice.
- **Engage in Problem Solving:** Students must have an understanding of how to apply what they know and can do to new situations.
- **Ensure Security and Safety:** Students must know and use strategies to acknowledge, identify, and negotiate 21<sup>st</sup> century risks.

f. Describe how technology will be used to provide access to the curriculum and to deliver instruction using the internet or other electronic means.

Standards-based activities and many learning resources will be accessed online. Teachers will be utilizing the internet to deliver lessons only made possible by seeing many things around our world.



Many of our assessments will be taken online such as Acuity. Acuity has remediation activities built directly into it. When a student doesn't perform well on a certain standard the teacher assigns the remediation activity for the student to work on directly in Acuity. Acuity will alert the teacher when the student masters it and is ready to move on.

The school will seek grant funds to increase the technology available to students and staff. The addition of Smart Boards to the school will allow whole classes of children to connect with experts and other students across the nation and the world to encourage the development of the "global community" concept.

g. Explain how technology will enhance communication and technical support to students and parents.

Through our student grading system parents will have real time access to a teacher's grades or comments on their child. They can see what hasn't been turned in and all grades acquired. All teacher email addresses will be listed on this tool allowing parents easy access to email a teacher directly with a question about their student. Classrooms will develop their own web-pages where student work and contributions can be uploaded and shared with family and community. The Parent Involvement Coordinator will bring technology to the family home as needed to assist parents in accessing information and provide instruction on bookmarking the gradebook site, and establishing log on information with the family. As often as practical, school events and upcoming test schedules will be sent out by email or text message as a supportive way to ensure parents have the information they need in a timely fashion.

h. List the amount budgeted for technology as well as the line item in the budget for technology costs.

Year 1: Computer systems will be purchased for classrooms. (10,000.00) Software and Licenses (5,000.00)

Year 2: Computer systems, smart boards, assistive technology devices will be added. (25,000.00) Software and Licenses (5,000.00)

Year 3: Replacement systems. (5,000.00) Licenses (3,000)

Year 4: Replacement systems (5,000.00) Licenses (3,000.)

Year 5: Computer systems, smart boards or new technology (40,000.00) Software and Licenses (8,000.00).

## 10. Evaluation of Student Performance

- a. Describe how student performance will be used to improve student achievement and attain the stated learning goals and objectives from (7b).

The Academy's School Board has adopted the appropriate assessments in all grades annually. These assessments allow teachers, students and parents to see where individuals are in reaching and/or exceeding Academy Standards. The measures will determine whether the student has successfully achieved grade level standards. The results of these measures will enable teachers to teach to the child's individual needs and strengths.

**Pre and Post Assessments:** All students will be given a pre and post assessment for each lesson/standard. This will allow the teacher to gauge prior knowledge, assess current skill level, and finally diagnose mastery of the skill/standard.

**Writing Prompts:** Each nine weeks all students will be given a school wide common writing prompt. Teachers will grade this against the ISTEP writing rubric. Teachers will use the information to change instruction in the classroom to meet the deficiencies of the students.

### **mCLASS**

The purpose of the mCLASS assessments is to provide diagnostic measures for K-2 students in literacy and numeracy. mCLASS:Reading 3D and mCLASS:Math help identify students' foundational skills and provide teachers with instructional suggestions based on student performance on benchmark assessments and regular progress monitoring.

### **Acuity (3-8)**

The purpose of the Acuity assessments is to provide diagnostic measures for grade 3-8 students in English/language arts, mathematics, science, and social studies. Assessment reports provide standards-aligned performance data, which support an educator's ability to inform instruction at the student-, class-, school-, and corporation-level. There are four types of assessments available in the online Acuity assessment system including Predictive, Standard Diagnostic, Curriculum Map-Aligned and Tailored Diagnostic.

Student Data will be analyzed on a regular basis to change instruction as needed for the current school year or to plan for the next year. All decisions will be data driven.

### **IMAST (Indiana Modified Achievement Standards Test)**

The purpose of the *Indiana Modified Achievement Standards Test (IMAST)* program is to measure student achievement in the subject areas of English/Language Arts, Mathematics, Science\*, and Social Studies\*\*. Students who participate in *IMAST* in lieu of ISTEP+ are expected to earn a high school diploma prior to exiting high school, either by demonstrating proficiency on any required graduation examinations or through the appeals process. In particular, *IMAST* reports student achievement levels according to the Indiana Academic Standards that were adopted in November 2000 by the Indiana State Board of Education. Based on Indiana's Academic Standards and presented in a multiple-choice format, *IMAST* is administered to students whose case conference committee

(CCC) determines they meet the eligibility criteria adopted by the Indiana State Board of Education. Therefore the goals listed in the student's case conference committee report include content standards for the grade in which the student is enrolled. The student's academic goals will be the same as non-disabled peers at grade-level or will generally be aligned to grade-level curriculum.

### **ISTAR (Indiana Standards Tool for Alternate Reporting)**

The purpose of the *Indiana Standards Tool for Alternate Reporting (ISTAR)* program is to measure student achievement in the subject areas of English/Language Arts, Mathematics, Science\*, and Social Studies\*\* based on alternate academic achievement standards. Students who perform significantly below grade-level may have personal learning goals that cannot be adequately measured with a grade-level standardized test. *ISTAR* is a web-based system that utilizes teacher ratings on performance threads comprised of progressive skills based on alternate academic achievement standards that are appropriate to the student's achievement level. The case conference committee (CCC) determines, based on the eligibility criteria adopted by the Indiana State Board of Education and the student's individual and unique needs, whether a student with a disability will be assessed with *ISTAR*. Therefore the student's goals and objectives are generally prerequisites to grade-level academics or are highly individualized extensions to the standards.

- b. Organization Framework. Create a Table or Chart (10 b.) to detail the assessment system.

Attach Table 10b as a PDF (Portable Document Form) named, **Attachment 10b – Assessment System**

## **11. Special Populations – Anticipated Needs**

- a. Describe how you will determine the school's potential special needs students (disabilities, ELL, advanced, struggling).

“Indiana's population will become increasingly diverse over the next 20 years as the state's Hispanic, ‘two or more races,’ Asian and black populations grow rapidly.” (Kelley School of Business, Indiana Business Research Center, Indiana University, 2008). Connecting with the public school special education coordinators will provide many potential referrals of special needs students. The evidence is available through state report card data and census data that a significant school population with special learning needs exists.

- b.** Include a review of demographics, including incidence rate, of the districts surrounding the proposed school.

Special populations compare to the general education students in drastically different levels of learning gains as shown on high stakes tests. You can see by the chart below, that students with disabilities at the elementary and middle school levels perform at approximately half of the level of their general education peers.

- c.** Summarize performance data for district populations and subgroups on applicable State assessments (ISTEP+, IREAD, IMAST, ISTAR, ECA).

	Pass Both Math and ELA Percent  Special Ed.	Pass Both Math and ELA Percent  Not Special Ed	Pass Both Math and ELA Percent  ELL	Pass Both Math and ELA Percent  Not ELL
Averaged scores for subgroups from Madison, Grant, and Delaware Counties	35.3%	65.6%	32.2%	60.5%

- d.** Summarize the survey data that includes the perception of the community you will serve.

100% of survey respondents agreed that the public schools do not meet the needs of all students. The planning team of this grant believes that it is because larger public school districts have less flexibility to construct unique learning environments, and less time to collaborate with their co-teachers to plan for best practices for struggling learners. The Evergreen Academy has already planned to use instructional techniques and methodologies that are research-based as appropriate for “non-conventional” as well as traditional learners.

## 12. Serving Special Populations

### Identifying and Serving Special Needs

- a.** Explain the specialized resources the school will devote to serving students with special needs

The Evergreen Academy will provide services to special needs students both directly and under contract with outside providers. The school will provide special educational services through certified special education teachers and paraprofessionals, and will provide directly

or contract out for related services such as speech/language, occupational or physical therapy, and psychological services. It is believed that Meridian Services would be able to serve students in our building at no cost if that is necessary until state funds arrive for special education services.

The school is committed to an educational program for all students with disabilities that meets inclusion requirements outlined in IDEA. This means that it will provide special education services identified in Individual Education Plans (IEPs) in the least restrictive environment and preferably in the regular education classroom when appropriate. The School will provide appropriate services and supports to special needs students and teachers within the regular classroom—and also in separate settings, when necessary, to meet the individualized needs of the child as outlined in the IEP. Administrative staff, special education staff and classroom teachers will work together to ensure that at risk students receive high quality instruction and accommodations as appropriate.

SES staff work with special needs students for intensive, short-term “pull-asides,” returning them to classroom activities with support materials, plans, and follow-up when this service is identified in the student’s IEP. SES staff also provides direct instruction for some individual students—one-to-one and in small groups—within classrooms or in a resource setting, as determined by the IEP team. In addition, SES staff provides classroom teachers with strategic modeling, materials, and follow-up that elaborates on instruction and practice for students with disabilities. SES staff regularly reviews each student's progress on grade-level standards, IEP goals and objectives, and through AIMSweb reports and make adjustments when data indicate insufficient progress. When the amount of time in a regular education classroom proves not to be adequate, the IEP team will meet to review progress and make revisions if necessary.

The Evergreen Academy will hire a Special Education Coordinator (SEC) to coordinate the special education services for students with a disability or those suspected of having a disability. This person will be responsible for coordinating the efforts of the special education team, manage paperwork and timelines and ensure that the special education program is compliant with federal, state and local laws and mandates. Certified special education teachers and paraprofessionals will be hired to work directly with students and regular education personnel. When the size of the special education population requires it, administrative support will be made available to the SEC.

Evergreen will use AIMSweb, a comprehensive RTI assessment system of both behaviors and academics. The AIMSweb system has curriculum-based measurement (CBM) and psychoeducational assessment integrated within it. All students in the special needs and general education population will have the same universal screening and progress monitoring throughout the school year. Decisions of all teachers will be data-driven and prescriptive so that no student fails to have an updated and accurate learning plan.

The Evergreen Academy will comply with applicable state laws and all relevant federal laws, including the Individuals with Disabilities Education Act (“IDEA”), the Family Educational

Rights and Privacy Act (“FERPA”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and the Americans with Disabilities Act (“ADA”). The School will seek to work collaboratively with the local School System to ensure that all IEP documentation is accessible by the Evergreen Academy special education staff and that all requirements are met. The ultimate success that Evergreen achieves in serving special needs students appropriately and completely will be evidenced by AIMSweb data reflecting academic growth of at-risk students and reduction of discipline referrals as documented in the students’ portfolios and through the IEP process.

- b. Describe how the supplemental instructional design will meet the educational needs and goals of these students.

As the Care Conference Committee plans and reviews annual IEP goals, instructional design will be evaluated for effectiveness in meeting the students’ instructional, social, health, and physical needs. When a new goal is established, it will be the responsibility of the Special Education Coordinator to arrange for the instruction, as well as the devices, equipment, or personnel to assist the student in achieving the new IEP goals.

- c. Summarize any research or evidence that supports the appropriateness of the school’s approach to serving students with special needs.

A school-wide initiative will be put into place before the school opens for the first day with students. Positive Behavior Supports (PBS) was born out of the need for schools to intervene in the very early stages of misbehavior in order to keep behavioral problems from becoming unmanageable.

PBS is based on behavioral theory. By focusing on the contexts and outcomes of a particular behavior, it is possible to determine the functions of the behavior, make the problem behavior less effective and efficient, and make the desired behavior more functional. This often involves changing systems, altering environments and teaching new skills, as well as focusing on the problem behavior. (Cohn, 2009)

PBS plans are built after performing the Functional Behavioral Assessment (FBA), which reveals information about the antecedents, consequences, and frequency of challenging behavior. FBAs also help to identify any co-occurring variables. Conducting FBAs doubles the success rate of an intervention.

PBS plans are individualized and data driven. Procedures for monitoring, evaluating and assessing the effectiveness of the system have been built in.. PBS should be implemented collaboratively and with high fidelity among all individuals in the child’s life to

maximize its effectiveness.

- d. Explain the process that will be used to monitor the achievement and progress of students with special needs.

AIMSweb will be used for children from K-2 grades to monitor achievement. The system was designed to be used in conjunction with PBS. Acuity will be used for children from grades 3-8, as it has built in assessments for students with special needs as well. Teachers of regular and special needs students will use these systems for formative assessment along with curriculum based assessments to determine progress. If a student does not show progress within a unit of study, supplemental instruction will be provided in the final block of the day, as well as individualized re-teaching as needed.

- e. Describe the process that will be used to evaluate the efficacy of the program and ensure that the needs of these students are being met.

The efficacy of the program at Evergreen Academy for special needs students will be evaluated by looking at data from high stakes tests, such as IMAST and ISTAR, and also the RTI and Acuity Systems.

- f. Create and attach Table (12f) to show the personnel that the school will specifically devote to serving special populations and the associated administrative responsibilities. Include the amount here along with the line item in the budget.

Year 1: Special Education Supervisor, Special Education Teacher and one Aide  
Totaling \$101,000.00

Attach Table 12f as a PDF (Portable Document Form) named, **Attachment 12f – Personnel for Special Populations**

### 13. Student Discipline Program

- a. Describe the school's proposed student discipline program including: school-wide discipline methods (positive behavior supports, etc.). If your school-wide discipline requires a contract and/or major expenditure, list the amount here along with the line item in the budget.

Positive discipline strategies are research-based procedures that focus on increasing desirable behaviors instead of simply decreasing undesirable behaviors through punishment. The Evergreen Academy will use positive reinforcement, modeling, supportive teacher-student relations, family support and assistance from educational and mental health specialists when needed.

Research has proven that *positive discipline strategies benefit all students* because:

- Discipline that is fair and consistently enforces reduces the likelihood of further problems
- Fewer discipline issues create more effective learning environments.
- Reducing student alienation can dramatically reduce acting out in schools, especially in large settings
- When students are given an appropriate education in a conducive environment, they improve behavior and performance
- Positive behavior support systems can lead to dramatic improvements that have long-term effects on behavior in all students, including individuals with disabilities or those at risk for negative adult outcomes.

These strategies include:

- **Violence prevention and Teaching Tolerance:** Some examples of proven programs include: Second Step and Promoting Positive Thinking Strategies
- **Positive behavioral supports and social skills training:** Interventions have potential to significantly improve school-wide behavior and safety. Effective programs include: Stop and Think (Project ACHIEVE) and Positive Behavioral Interventions and Supports (PBIS).
- **Early intervention:** Interventions that target low levels of inappropriate behavior before they escalate into violence can significantly reduce the need for harsh consequences later.
- **In-school suspension:** Focus is on continuing the curriculum, while working with the student to identify and eliminate the root cause of an acting-out episode, provides an alternative to exclusion.
- **Out of school suspension:** This will be used only when behavioral support can be given to the student during time away from school and ongoing upon return to the school.
- **Expulsion:** Expulsion will be used as a last resort, and almost exclusively for major offenses. See Discipline policy for detailed process.



All of the Evergreen Academy staff members, including non-instructional staff, will monitor students in all settings to help them improve self-concept and motivation to engage in appropriate behavior. Teacher support teams comprised of special education staff will assist teachers to evaluate both class climate and student needs, and provide support and strategies to engage difficult students as a prevention effort.

**b. Research that it is appropriate and effective for the school's intended population**

The Safe and Responsive Schools Framework is a research-based approach to improve the behavior of students at school, and to preventing school violence. It is a structure to help schools plan for and implement school-wide intervention strategies addressing three levels of behavior management that apply to all students, including those with special needs. These levels are: 1) Creating a Positive Climate, 2) Early Identification and Intervention, and 3) Effective Responses.

Unfortunately, there will most likely be individual cases that are resistant to responding to the above framework. Administration anticipates that as younger children spend multiple years at Evergreen, there will seldom be a need for more harsh disciplinary measures.

**c. Link to the school's mission and instructional design.**

The discipline plan outlined above takes into account the philosophy of the school, that the Evergreen Academy is inclusive of all students, provides a rigorous education where all students learn using the instructional methods to keep them active and engaged, with little time to create disturbances. In addition, the strong link between parents and school builds a partnership of caring adults who will work with the child to improve behavior using meaningful consequences.

## **14. Professional Development**

### **Staff Experience and Expertise**

Describe the potential staffs' experience in teaching and how their expertise will support the instructional design and improve student learning opportunities.

It is anticipated that most new teachers hired by Evergreen Academy will be either in the first few years of their teaching careers, or will be veteran teachers returning to the classroom. All will meet the guidelines of being "highly qualified". Being in their first few years of teaching will have tremendous benefit to reinforcing the school-wide philosophy of the Evergreen Academy and implementing the rigorous learning model. It is also expected that many younger teachers have already been trained in using the

project approach to learning, so all training provided in Project Based Learning (PBL) will be refresher learning. Veteran teachers will bring the stability and insight of long-range instructional planning and will be mentors for younger teachers. Regardless of experience, all teachers will participate in the same professional development opportunities in order to connect themselves philosophically with each other and the school. From July through the opening day at Camp Webster, teachers will participate in multiple staff development and professional development sessions. The initial meetings held with teachers will be focused on #1: The Evergreen Academy Philosophy, 2#: The underlying principals of teaching children of diversity, #3: Communicating with parents as partners in education. To accomplish these initial meetings, the resources needed will be copies of the Charter School application, the Teaching Tolerance PD Curriculum & resource materials, and Dr. Susan Fisher, whose area of expertise is in early childhood and working with parents.

The framework for all instruction and curriculum selection will be built upon the Indiana Academic Content Standards, and the Common Core Standards. Additional professional development offerings for new staff will be to review both sets of standards and review the timeline for transitioning all students to the Common Core. The second important training to be given is a session on the importance of constructivist learning opportunities in each classroom. Teachers will compare and contrast the constructivist approaches of Project Based Learning (PBL) and Learning By Design (LBD) models. Teachers can select the use of only one model for learning, or develop a hybrid approach. All students in K-8 classrooms will have part of each day's instruction based on these student-centered learning philosophies.

### Professional Development Plan

- a. Describe staff development priorities and how these priorities align w/ goals for student performance, program design and staff needs.

***See response above.*** Staff development priorities will be based on instructional practices; assessment techniques; working with high-risk student populations and using data to assess student performance. Additional staff development will be determined by the annual performance evaluations of individual teachers, and the aggregated individual plans that become the organizational plan for PD. The organizational plan combines teacher reported needs and data outcomes of student assessments.

- b. Describe a multi-year/ long-term professional development plan.

First year professional development will be focused on training all staff members in the instructional strategies that are considered school-wide initiatives, such as Project-based

learning, Learning by Design, Response to Intervention, Curriculum mapping, and using curriculum based assessments. Also, a large focus of training will be in how to use the assessment data collected as a way to inform instruction.

Years two and beyond will include curriculum specific training as it is changed or developed, classroom embedded professional development that is ongoing, and refresher training on all of the school-wide initiatives.

c. Explain the system for ongoing staff development.

Every member of the faculty and support staff team will have an annual professional development plan, developed in the spring of the year. The contents of the plan will include the types of PD content they view as valuable to improve their performance for the next school year. Some input for the plan will be added based on the annual performance review with the school leader. After the school leader receives all of the testing data for the year, the data will be reviewed to see the trends in student learning and achievement. Pairing the student outcome information with the staff's self-selected topics for PD, the school leader will devise a school-wide plan for the coming year to ensure staff members have training on what they need to know and what they desire to know as part of the plan.

d. Describe how the professional development system will evaluate effectiveness and implement a clearly defined evaluation process for transitioning PD content to classroom practice.

**As much professional development as possible will be embedded in nature.** Literacy Coaches are expert members of the Evergreen Academy school faculty who will help provide teachers with job-embedded professional development by:

- Sharing their expertise through training and in-class support;
- Demonstrating lessons and helping teachers refine instruction; and
- Observing teachers' practices and providing feedback, support, and ongoing assistance with scientifically based reading research (SBRR) strategies, programs and assessments.

- e. Explain how resources/ budgets are realistic and aligned to activities identified in the professional development plan based on needs and priorities. Include the line item in the budget and the amount of the allocation here.

The budget amount allotted for professional development is \$3,000.00. Though this does not seem to be a high dollar figure, it is justified by the fact that the School Leader is a “trained” trainer in many of the areas that require PD. Also, Dr. Susan Fisher from Indiana Wesleyan University will be providing her PD at no cost to the Evergreen Academy. Most new software systems and curriculum units being purchased will include initial training by company representatives. The \$3,000.00 will be used primarily for attendance to professional conferences.

## 15. Co-Curricular and Extracurricular

(Indicate if not applicable to your school)

- a. Describe the school’s plan for providing co-curricular or extracurricular programs and how they will be funded and delivered. Include the line item in the budget and the amount of the allocation.

N/A

- b. Describe the school participation fees associated with extra-curricular activities (if applicable), including the school’s policy on fee waivers.

N/A

- c. Describe how your plan meets Title IX requirements.

The Evergreen Academy will comply with Title IX (as this applies to ESEA education programs) by doing the following:

- Annually inform private school officials of the various *ESEA* education programs available to their students and teachers as they are in place at the Evergreen Academy;
- Enter into timely discussions between the LEA and the private school officials regarding services and benefits;
- Work with the private school administrators to determine private school students’ and teachers’ needs;
- Allocate adequate funds for services to private school students and teachers that is equal to the per-pupil amount for services to public school students and teachers;
- provide services, programs, materials, and resources;

- evaluate programs and services for effectiveness; and
- work to remedy any problems and resolve formal complaints raised by private school officials.

## 16. Transition Plan

- a. Describe the strategies and activities that will support students' transition from one grade span to the next.

The Evergreen Academy will be a K-8 building and will house self-contained classrooms. There is a possibility for teacher teams in all grades, which will be determined by teacher strength. Since there will be no difference between elementary and middle grades the grade span transition will not be an issue for our building. In the pre-planning time before the school opens, the administrative team would like to observe schools that practice "looping". This would seem to be advantageous to students since a teacher would know a cohort group of students quite well, moving grade levels with them for a period of two to three years.

- b. Identify additional "transition" issues that will affect your school and describe how you will address them.

The transition to each grade level for general education students will be determined by several factors:

- Teacher Accountability – did the teacher make parental contacts and implement interventions for this student.
- Acuity Score growth throughout the year
- Attendance
- Discipline Record
- Classroom Grades
- Parental Input

After all factors have been taken into consideration the School Leader in collaboration with the classroom teacher will make the decision to either promote or retain the student of concern. The promotion/retention of special education students will be determined in the year end case conference by the conference committee.

## Organization

### 17. Parental Involvement

- a. Describe how the school will identify the needs of students and their families to provide opportunities for effective parental involvement and benefit adult family members.

All teachers will be held accountable for knowing their students socially and academically, and for communicating frequently with parents through phone calls, face to face conferences and creating written reports and newsletters to send home. The teacher will act as partner with the parent, helping to instill the importance of home/school communication to increase the likelihood of success for students. The school will hire a Community & Parent Involvement Coordinator who will establish relationships with parents and students both during and outside of the school day. The CPI Coordinator will design, distribute and collect information about students during the first few days of school and review the information to assess the needs of families for additional services needed, such as referrals to energy assistance, housing, and health programs. The CPI coordinator will keep a resource guide available to establish contact with appropriate agencies, and make the introduction of the parent to the correct contact person within the agency. The CPI coordinator will not fill the traditional counselor role, but will be available to assure that mental health, counseling and intervention services are available to families through community partnerships. Later in the year, the CPI Coordinator will make begin making short visits to the student's homes to play more of a mentoring role for the parents or guardians, assisting families to create a stable and productive environment where learning is given a priority. Bringing literacy materials, school supplies, internet capable technology etc. to enrich the environment and access information for parents quickly will be key elements of the visits. Helping parents understand the online gradebook system and showing/explaining to them any assessment results or reports will further establish a critical link between home and school, parent and teacher.

Along with the surveys, visits to the home, IEP meetings, and twice annual (or more) parent-teacher conferences, parents will have opportunities to come to the school where the family will be fed, and a speaker will be brought in to share educational and parenting topics of high interest and importance. Some workshops will be given by the CPI Coordinator, others by Dr. Susan Fisher from IWU, and special guests from the community and elsewhere as needed. Events at the school in the evenings and on weekends will be family friendly. When warranted, childcare for young children will be available and provided by IWE or Ball State students. Since the school is based on teaching contextually through Project Based Learning with a focus on environmental

stewardship, there will be many opportunities for parents to come in and view projects completed by the students. In addition, much of the area around the school will be a living lab and will offer examples of studies in process. Several times each year the students and any parents who wish to attend will re-visit the Camp Webster learning lab for specialized projects or for a combination of recreation and learning. Bringing storytellers, characters who re-enact important figures in history, and examining artifacts from previous decades or centuries will re-invigorate young students and prepare them for the coming units of study.

- b.** Explain the school’s plan for parental involvement with the goals the school will achieve and how parents can realistically assist.

The most effective way for parents to assist the school in achieving its goals, is to support their own child’s individual investment and commitment to succeed. Prior to enrollment in The Evergreen Academy, parents will know the expectation for their involvement in the school and with the Community and Parent Involvement Coordinator during each school year. They will receive essential tools and materials during the initial Camp Webster kick-off event in August to help them and their children organize their homes to be school-ready. Parents will realistically assist the school by supporting their children’s attendance, ensure books and assignments are returned to school, provide adequate rest and nutrition so children come to school ready to learn, and be ready communicators with teachers and other staff about any situations that could affect their child’s ability to fully engage in instruction.

- c.** Describe programs and activities that will support parents’ engagement in their students’ academic success (i.e., assessments; standards; expectations; goal setting; feedback).

The kick off camp will provide many informative sessions for parent (if they choose to attend) on ways to assist children with school. After the school year begins, those sessions will be repeated so all parents may benefit from the information. All sessions will be delivered by the school leader, community and parent involvement coordinator, special education coordinator or Dr. Susan Fisher. Topics will include: An explanation of the annual assessment calendar and how to prepare students to be “test ready”, the on-line grade book and the information it provides to parents, an overview of the curriculum and how it aligns with the Indiana and Common Core Standards, the uses of technology, and other pertinent topics.

- d.** Explain how the school will make the community aware they can be involved.

The theme of The Evergreen Academy is to provide a rigorous learning environment that

teaches children as often as possible using environmental themes. The opportunity for community involvement in this mission is great. Assuming the Charter is granted, offers for school partnerships will be formalized.

- e. Describe activities that will provide parents opportunities to influence the management of the school.

A seat will be on the Evergreen Academy's Charter School Board that is designated for a parent of the school. This vacancy will be filled upon the Charter approval from Ball State University, and when student recruitment has begun. In addition to board representation, parents will be solicited to serve on curriculum committees, fundraising committees, the technology committee and the wellness committee.

Annual surveys will be distributed and collected to gain insight into how parents would improve the school. Suggestion boxes will be available in the school, and parents can post comments on the School's face book page.

## 18. Partnerships / Contracts

- a. Identify any partnerships or contractual relationships central to the school's operations or mission. Include the amount in the budget for partnerships or contractual relationships and the line item in the budget here.

A contract for food service may need to be in place until the school facility is prepared to make hot meals for students. Because of this possibility, \$7,875.00 per month (35.00 per child, per month x 225 children) has been budgeted to purchase vended meals.

- b. Explain the purpose of the partnerships or contractual relationships.

The purpose of the contract will be to provide lunch to students that will comply with National School Food lunch program criteria.

## 19. Organizational Structure

- a. Create and attach an organizational chart (19a) for the school. Support the chart with a narrative description outlining the school's organizational structure.

Ball State and the Indiana Department of Education will provide most directives that will give the Board its direction and focus. The Board is the decision making authority on matters having an impact on students, parents, community and business. Reporting to the Board are the School Leader and the Business Services Manager. Communication



flows back and forth as all have input on the decision-making process of the board, and how those decisions relate to the school's success in achieving its goals. The School Leader represents the voice of the students, teachers, parents and community at all Board meetings. The Business Manager provides the same communication about the facilities, business relationships (vendors), and effective management of the physical structure.

Attach Table 19a as a PDF (Portable Document Form) named, **Attachment 19a – Organizational Chart**

- b.** Provide a rationale for choosing this structure, and the roles of any management or partner organizations.

The board structure is a very common style for most organizations, and is the easiest to use when starting up a new organization. The structure may be adapted in the future as the needs for changes occur. The two primary managers of the school, the school leader and the business services manager will attend all board meetings, but will not have voting rights. Strong partner organizations should and will have a seat on the board. If a partner is identified and a board seat is not available, then the board will vote to add two seats to the board, filling one with the partner and seeking another to fill the vacancy. Total board size will not exceed nine members.

## **20. Governing Board**

- a.** Describe the responsibilities as a whole, individual officer responsibilities, election/ selection processes and terms, and removal of board members.

The officers of the Evergreen Academy Charter School Board shall consist of the Board President, a Secretary, a Treasurer, and such other officers as the Board of Directors may otherwise elect. An officer may not simultaneously hold more than one (1) office. Each officer shall be elected by the Board of Directors and shall serve for one (1) year, or such other period as prescribed by the directors at the time of such election, and until the officer's successor is elected and qualified. An officer shall be a member of the Board of Directors. Any officer may be removed by the Board of Directors at any time for cause as that term is defined herein in Article -II, Section 9. Any vacancy in any office shall be filled by the Board of Directors, and any person elected to fill such vacancy shall serve

until the expiration of the term vacated and until his or her successor is elected and qualified. (See the bylaws of the Alexandria Foundation for further information.)

- b. Create and attach a chart (Chart 20b) that reflects the flow of information to and from all stakeholders.

Attach Table 20b as a PDF (Portable Document Form) named, **Attachment 20b – Flow of Information**

- c. Attach Articles of Incorporation

Attach Articles of Incorporation as a PDF (Portable Document Format- Acrobat®) named, **Attachment 20c – Articles of Incorporation**

## 21. Principal Leadership

### Educational Role

- a. Describe the school leader's role in educational leadership.

After the quality of a school's teachers, the quality of a school's leaders is the most influential school-based factor affecting student learning (NGA Center for BEST PRACTICES, 2008). The Charter School Board believes the school leader selected for the Evergreen Academy has the essential skills necessary to lead the Evergreen Academy's children to academic achievement. The school leader's role at the Evergreen Academy will be to perform the following functions:

- Clearly communicate the vision and mission of the Evergreen Academy to all members of the staff, the student and parent population, partners in the educational network, and to the community at large.
- Exemplify and encourage the qualities of compassion, respect, dedication, responsibility and high moral character that the school expects of all students and staff.
- Support the implementation of new teaching strategies and methods of assessment that show promise for improving educational outcomes for children.

- Review performance data on a regular basis and make adjustments to the educational program as warranted.
- Comply with all state and federal regulations for reporting information and data in a complete and timely fashion.
- Manage the school's facilities to ensure compliance with all health and safety codes, making it a comfortable and efficient place to teach & learn.
- Create a school environment that promotes a climate of tolerance, belonging, and peaceful co-existence of all students and families regardless of cultural, racial or economic differences.

The school leader will have a complete job description outlining the daily tasks and responsibilities for school management, including the responsibilities for recruiting students for the school, supervision and evaluation of staff, supporting the selection of materials for the school, managing discipline of students, evaluating the performance of the students and the school in general, working with the business services manager for contracts, purchasing and building maintenance issues, and reporting to the Charter School Board each month.

**b. Describe the qualifications required for the school leader.**

At a minimum, the school leader will hold a Master's Degree in education with experience in school administration. In addition, the school leader will have had experience working with diverse populations of students and families, most importantly at-risk populations.

**c. Explain the process that will be used to recruit this person and the criteria used to select him or her.**

The recruitment process for the Evergreen Academy school leader was accomplished in the first meeting with the Alexandria Community School's superintendent, Dr. Alice Mehaffey. Once the concept for the charter school was described, Dr. Mehaffey recommended Kelley Bowyer. Ms. Bowyer came from the Marion Community School District, and had performed the roles of District Alternative Services Coordinator, and a middle school principal. While in her role as middle school principal, she effectively navigated the school out of probation into academic progress in a one year period.

- d. Explain the process and criteria that will be used to select this person, including who will be involved and the role of the board and management organization, if any.

The criteria for the selection of a school leader would normally have been to advertise for candidates to apply to the Alexandria Charter School Board chair, and after a review of all application materials by school board members, three candidates would be selected for interview. In this case, Ms. Bowyer submitted her resume and letters of reference to Cindy Smith. Ms. Bowyer was then invited to meet with Board members, Cindy Smith and John Jacobs for a preliminary interview. Both Mrs. Smith and Mr. Jacobs subsequently made a recommendation that Ms. Bowyer meet with the remaining school board members for a formal interview. The Board voted to offer a contingency letter of employment to Ms. Bowyer, as she possessed the qualifications and experience that were needed to open The Evergreen Academy.

If Applicable, attach the resume or biography as a PDF (Portable Document Format- Acrobat®) named, **Attachment 21d – Principal Resume**

## School Management

- e. Create and attach an organizational chart (Chart 21e) that reflects the management structure consistent with the information provided within the application.

Attach an Organizational Chart, as a PDF (Portable Document Format- Acrobat®) named, **Attachment 21e – Organizational Chart**

- f. If applicable, describe how the school will work with a management organization and explain the relationship between employees of the school and that organization.

N/A

## 22. Staffing

*Create and attach a first-year-staffing chart (Chart 22a) and a chart (Chart 22b) of staffing projections for the term of the charter. Support the information with a narrative explanation.*

The chart attached shows the first year's staffing based on the full number of students enrolled as projected. Many administrative roles will be multi-faceted so the budget is not over-committed.

Attach Tables 22a and 22b as PDF's (Portable Document Form) named, **Attachment 22a – First Year Staffing** and **Attachment 22b – Staffing Projections**

## 23. Staff Recruitment and Retention

- a. Describe how you will recruit and retain staff, particularly high quality teachers.

The principal will work in concert with the Board to hire the faculty. Each teacher will need to be fully licensed and certified by the State of Indiana to teach in the grade levels or content areas where he/she will be assigned. Highly qualified teachers will be given priority in the process. We believe we will offer a competitive, if not generous compensation scale to encourage high quality teachers to apply at Evergreen. We realize that next to the school leader, excellent teachers are the most important component for the success of our School. A line in the budget includes performance bonuses to award to staff as they aspire to creatively move their students toward proficiency in their school work.

- b. If applicable, describe how staff will be involved in the governance and management of the charter school.

The instructional staff will assist the school leader with all activities in the pre-operational phase of starting the school. This will include reviewing the policies submitted with this application to determine their accuracy in reflecting the needs of the school community. Staff will have input on the types of partnerships the school will secure for additional services for students. Teaching staff will help to refine and solidify the final discipline plan for the Evergreen Academy. They will also assist in the selection of learning materials to purchase, and will have a say in the final school day schedule. Once school has opened, all staff input will be needed to determine if any of the policies, procedures, or routines of the school need to be changed to be more efficient or practical in the daily operations of the school. The school leader will meet with all teachers on a quarterly basis to review performance data and other information pertaining to the progress of students. Input from teachers will help the school leader determine what, if anything needs to change.

## Finance and Facilities

### 24. School Financial Plan

*Describe the school's financial plan and policies in compliance with requirements by the State Board of Accounts. State Board of Accounts Manual*

- a.** Explain the process your school will use to develop its budget.

The school leader, the business services manager and the board representative with the most professional financial background will develop the initial budget for each upcoming school-year in the spring prior to the new budget year. Budgeting for critical items will be rank ordered by each individual and compared for importance, with the needs of students coming first in all decisions. The preliminary budget will be completed based on anticipated revenues and expenses. A consultant may be hired to review the budget in the absence of a trained board member. The board will adopt the next year's annual budget by no later than the May board meeting. Amendments to budgets are a reality, and are anticipated. However, funds cannot be re-allocated, changed in amounts greater than 10% in any spending category, or increased without prior consent from the source of the funds (Ball State, IDOE, USDE, or Foundations) and the consent of the Evergreen Academy Charter School board.

- b.** School's fiscal procedures.

The school will initially use a single entry accounting system to track revenues and expenditures. Fund accounts will be set up as grants are awarded, or entitlement programs are put in place. Bookkeeping Plus will be hired to process all financial transactions on behalf of the school. Bookkeeping plus will work directly with the school leader and the business services manager on financial matters. Both the school leader and business manager will attend the monthly board meetings to present up to date financial reports.

The Charter School Board will not authorize a total appropriation for the school that is greater than the revenue income expected. An appropriation increase can be approved as new funds come to the school with proper public notification. Any reserves will not be part of the annual appropriation. Total school funds will be broken into smaller accounts based on how the money is purposed. Account codes will be assigned in accordance with the requirements set forth in the State Board of Accounts. Each fund will have detailed account codes that show both the appropriation for the account and the amount expended to date. Any inter-funds transfers will be allowed only within the guidelines of the granting agency, or the Charter School Board. A Comprehensive Annual Financial

Report (CAFR) will be completed each year.

c. Describe the methods the school will use to complete the audit of their financial operations.

The board, working with established financial management will develop procedures that ensure long-term fiscal viability and will follow generally accepted accounting principles and comply with all laws and regulations governing charter schools. The board will play the primary role in overseeing financial strategic planning and assuring the public that its dollars are spent responsibly. The business manager will report regularly to the board about current financial status. A clean audit, Certificate of Good Standing, and clear chart of accounts will serve to document the attainment of these goals

## **25.Cash Flow Projections for Pre-Operational (Start-up) and First Year**

*Present and attach pre-operational through first-year monthly cash-flow projections with clearly explained assumptions (Table 25, Budget Worksheets A-B). Provide supporting evidence in the form of a narrative that that the proposed school would have sufficient start-up funds through first year available to it. Explain how the first year plan supports the school's mission and educational goals.*

a. Explain budget priorities that are consistent with and support key parts of the plan, including the school's mission, educational program, staffing and facility;

The largest part of the budget is dedicated to staffing and facilities costs. Fortunately, these are the primary elements of providing an education. These costs will continue to be monitored, but providing a strong institution with highly qualified staff is the best way to support the mission and educational programs of the school.

b. Explain realistic, evidence-based revenue and expenditure assumptions, including any plan to incur and repay debt;

Estimating revenue by formulas with conservative estimates for first year enrollment keeps the potential for over-obligating funds to a minimum. The Board will apply for a Common School Loan grant to assure the school is ready for students, fully staffed and fully equipped. A repayment schedule is included in the fixed monthly expenses.

c. Present viable strategies for meeting potential budget and cash flow challenges, for the first year of operation.

No permanent staff will be hired until the planning grant funds are released, and the Common School Loan is secured for the school. Fixed costs must be maintained, but personnel costs are more fluid. Limited purchases of higher ticket items (smart boards,

multiple computers, site licenses for the schools “wish list” software packages) will be made in the first year to gauge our likelihood of making enrollment targets.

Attach Budget Worksheets A-B - as a PDF (Portable Document Format - Adobe® named, **Attachment 25 - Budget Worksheets A-B**



## 26. Projected Five Year Budget Plans

*Present and attach five-year cash-flow projections with clearly explained assumptions (Table 26, Budget Worksheet C). Provide supporting evidence in the form of a narrative that the proposed school's five-year budget plans are fiscally sound and that the proposed school would have a well thought out timetable of anticipated revenue (detail the sources) and expenditures on a month-by-month basis to support the school's mission and educational goals.*

- a. Present budget priorities that are consistent with and support key parts of the plan, including the school's mission, educational program, staffing and facility.

Budget priorities will be: Adequate staffing, sufficient materials for students, and a safe school facility. These priorities also happen to be the largest portion of the school's budget, but are all critical to the success of the school and the advancement of its mission. Professional development is usually a significant part of the budget. These costs are reduced because the proposed school leader is a trained to conduct workshops in LbD, and many of the assessments required by the State of Indiana. In addition, Dr. Fisher does not charge for her Professional Development services.

- b. Present realistic, evidence-based revenue and expenditure assumptions, including any plan to incur and repay debt.

The details of the plan are outlined in Attachments 25 and 26. Based on demographic and school data, the figures in the proposed budget are conservative. The special education reimbursement was purposely estimated based on enrolling the mildly disabled population, at the current average school district population of 16% qualifying for services. The Title I budget is also conservative. No budget line was created for Prime Time grants, Small School grants or preschool special education funds. These may be funds for which we will qualify when the school is open.

- c. Present viable strategies for meeting potential budget and cash flow challenges, for the five years of operation.

The Evergreen Academy Charter School Board will create an alternate budget to include minimum expenses necessary to operate the school. Teachers will be offered limited one-year contracts, so staffing can be reduced as needed from year to year. The services of a grant writer may be secured to apply for additional funds for larger projects to help offset some of the services that would have to be reduced or eliminated. Any carry-over from previous years will be invested in short term CD's with staggered maturity dates for ease of access if needed.

Submit budget worksheet from Table 26, Budget Worksheet C as a PDF (Portable Document Format - Adobe® - named, **Attachment 26 - Budget Worksheet C**

## 27. Fund-raising Contributions

*Present evidence of anticipated fundraising contributions, or in-kind contributions if claimed in the application.*

The school will participate in fundraising activities to offset the cost of normally occurring school expenses for students in poverty. The “Green School Project” is one such fundraising activity that supports the theme of the school. Used ink cartridges, toner cartridges, cell phones, etc. are packaged and shipped to the Green School warehouse, where a value is assigned and a check is issued to the school.

Dollars raised through fundraising could be used to purchase replacement uniform shirts and pants, book bags, and school pictures. Fundraising proceeds can also be earmarked for special meals (pizza, etc.) and “earned” awards for students during the course of the year. School wide “green” fundraising, such as collecting ink cartridges from homes and business to send in to be recycled will raise needed funds (also earning cash back to the school).

Small grants will be applied for as special projects are identified. All grant applications will be approved by the Charter School Board prior to submission.

## 28. Insurance

*Describe the insurance coverage to be carried by the charter school, including the name of the insured and amounts of insurance for liability, property loss, and student personal injury. Detail how the insurance expenses are included in the school’s budgeted expenses.*

### **Insurance Requirements**

#### 1. Real and personal property

General liability insurance is required in the amount of \$2,000,000 aggregate and \$1,000,000 per occurrence, and shall have endorsements, if needed, for the following: (a) coverage for employee benefit-plan administrators; (b) specialized professional liability coverage for persons such as nurses and athletic trainers; and (c) coverage for groups conducting school sponsored activities, such as parent teacher organizations, booster clubs, and student groups.

#### 3. Automobile

Automobile insurance is required for any vehicle(s) owned or leased by the school. Coverage shall be in an amount equal to the greater of the amount listed below or the amount required by Indiana law.

Liability	\$1,000,000 aggregate/occurrence
Medical	\$5,000 per person per occurrence
Uninsured-motorist	\$1,000,000
Underinsured motorist	\$1,000,000
Property damage	\$50,000
(Comprehensive maximum deductible	\$500)

(Collision maximum deductible \$500)

4. School leaders/legal professional liability:

Bd. of Dir. Errors & Omissions: \$2,000,000 aggregate/\$1,000,000 per occurrence

5. Umbrella/excess liability

Umbrella excess liability insurance is required over the general liability policy, the automobile coverage, and the errors and omissions coverage for the board of directors in the amount of \$2,000,000.

6. Workers compensation as required by law.

## 29. Facilities Plan

*Describe the facilities needs and cost:*

- a. Facilities costs including, as applicable, cost of purchasing, leasing, building, or renovating an educational facility that conforms to applicable health, safety, and occupancy requirements.

The Academy will work with the Delaware County health officials and Mr. Dennis Ehleps (Indiana Department of Health) to ensure the facility meets all codes for opening as a school.

- b. Provide evidence that the proposed facility will be adequate or present a plan for securing a facility that is appropriate and adequate for the school's educational program, anticipated location, and target population.

A facility has been located that has enough space to house the year five enrollment target of 300 children. The attachment (29d) of the facility description shows the ability of the Evergreen Academy to gradually acquire space and pay for it as it becomes renovated for our uses. Using a building that requires modification allows the Evergreen Academy to select "green" construction contractors, and new green technology to ultimately keep the operational costs as low as possible in future years. The location of the building is in the rural outskirts of the town of Alexandria. There is acreage around the building that is ideal for outdoor projects and nature study.

- c. Provide an explanation that demonstrates the plan for acquisition of a facility is financially viable.

The company who owns the building, Normal City Realty, is working with the school to keep rent as low as possible in the initial months of operation. They have agreed to only charge the Evergreen Academy for the space it uses, and we will be able to add the

square footage we need as the student enrollment grows and renovations are completed.

- d. Detail and attach specific aspects of the facility using Form 29d.

Attach Facility Form 29d as a PDF (Portable Document Form) named, **Attachment 29d – Facility Form**

- e. If a facility has not been identified, explain your plans for securing a suitable facility and preparing it for use by the time you intend to open the school, including any contingency planning.

N/A

- f. If the charter school or its applicants or partners would own or lease its facility, provide a description of the ownership or lease arrangement of the facility. Indicate specifically any potential conflicts of interest and arrangements by which such conflicts will be managed or avoided. Facilities-related budget assumptions.

N/A

### 30.Accountability Plan Aligned

*Develop a reasonable, thorough, and conceptually sound design for measuring and reporting the performance and progress of the charter school that is aligned with the State's 10 principles from the "Indiana Department of Education Consolidated State Application Accountability Workbook for Public Law 107-110 that:*

- a. Includes all students and all subgroups.

All students and subgroups will participate in the required testing as mandated by the State of Indiana. The Evergreen Academy will measure and report progress according to Indiana Code 20-31 and State Board of Education Rule 511 IAC 6.2 (Public Law 221-1999).

- b. Expects all students and subgroups to reach proficiency in accordance with State System of Accountability (Absolute, Comparative, Growth).

All students and subgroups will demonstrate progress on the ISTEP+, English Language Arts, Math, Science, and Social Studies in grades 3-5. (Absolute) Reasonable progress is defined as producing average gains across all grades and subjects that are larger than comparable schools' gains (schools within +/-10% of the School's % FRPL and % Minority)(Comparative).

Based upon student assessment data (ISTEP+, Acuity, NWEA multiple testing, school performance / mastery data, we will have an immediate indicator of where a student lies in mastery of Indiana Academic Standards and we will take immediate action (remediation if needed) to bring our students needing such assistance to grade level / mastery. (Growth)

c. Uses the Federal targets for achievement and aligns method of AYP determination with the State System of Accountability.

The Evergreen Academy staff and administration will make all efforts to align assessments given to students to the high stakes tests at the Department of Education. Staff will use monthly data reports to determine the likelihood that all students and student subgroups will meet the same targets as the State.

d. High school must include graduation rate as indicator.

N/A

e. Elementary and middle schools must include an additional indicator that is valid and reliable.

The results of RTI assessments for K-2 students will show that 80% of students entering below grade level will be at or above grade level by the end of the year.

The results of RTI as a supplemental assessment will be used with students entering below grade level in reading and math. 70% of those students will increase skills by one level from where they entered within the school year.

f. Rate of participation and attendance will be at least 95% (school and all subgroups).

Students will post and average attendance rate of 90% or higher the first year, increasing thereafter to a sustained average of 95% or higher.

g. Additional Targets:

- Student recurrent enrollment

The Evergreen Academy intends to have a student recurrent enrollment rate of 90% or better by the 2013-14 school year.

- Post-secondary and career readiness and success (for high schools)

Although Evergreen is a K-8 school, we firmly believe that adding constant exposure to students from Indiana Wesleyan University, Ball State, and Taylor University as mentors

and enrichment staff will help students to visualize a future that contains post-secondary connections. There will be many discussions during each year surrounding environmental issues, as students may get to witness green technology and green construction used to modify and rehabilitate the school structure. Career awareness will happen as speakers come to the school to share what they do in the area to earn a living that pertains to environmental sciences. If children know they are life-long learners, and if parents are assisted to instill the expectation that their child will go to college, then the high school years will be the preparation ground for honing in on long term career plans and post-secondary goals.

### **31. Accountability to Sponsor**

- a. Demonstrate financial viability by including how annual audits and timely reports will be accomplished.

Measurement of viability will be by review of fiscal policies, the implementation of standardized internal control systems, and demonstration of adherence to generally accepted accounting principles and the Indiana State Board of Accounts. A clean external CPA audit, Certificate of Good Standing, and clear chart of accounts will document the attainment of this goal. Audits will be conducted every other year by the State Board of Accounts.

- b. Demonstrate organizational viability by planning for regularly scheduled board meetings and adherence to board policy.

The Evergreen Academy Charter School Board will hold meetings on the same Thursday of each month. All board members will have been trained in using Roberts Rules of Order, and will have a copy of the Rules as well as all of the information about Evergreen Academy's operations and plans.

### **32.Accountability to Constituents**

- a. Describe the system for gathering data from constituents regarding their concerns and suggestions and responding effectively.

Annual surveys will be conducted of parents to ask their opinions and gather their concerns and feelings about the operation of the Evergreen Academy. Board meetings will be public meetings and held in public places. The dates of the board meetings will be published in the local newspapers for informative purposes with an invitation for community members to attend. There will be time set aside on the agenda for pre-scheduled guests to speak. There will be one half hour after each business meeting to address questions from the floor.

- b. Explain the process and criteria that will be used to monitor and evaluate the extent to which the school is achieving its mission throughout the charter term including frequency of gathering and analyzing data and reporting progress towards meeting its Accountability Plan goals.

\*See the assessment schedule in attachment 10b for the timelines to administer state tests.

Daily: Student and staff attendance.

Weekly: Curriculum based assessments, AIMSWeb, Acuity monitoring for individual



Student progress monitoring.

Monthly: Same as above but monitoring classes or groups of students.

Quarterly: Attendance reports, Portfolios, Rubrics, AIMSweb and Acuity assessment data collected and analyzed by class and grade level. Corrective action taken as needed.

Semi-annually: Achievement data from state from previous and current year (if available) to compare growth between years and groups of students.

Annually: All high-stakes assessments, surveys, IEP's analyzed for growth trends, and attendance figures. PD scheduled as needed for targeted areas for all staff with subgroups not performing as well as expected.

- c. Describe the extent to which the school plans to communicate its progress towards meeting its Accountability Plan goals and how that information will be shared with and used by stakeholders, including parents, teachers, board members and school leaders.

The Accountability Plan is a public document as is the Charter application itself.

Progress measures will indicate if the Academy is making progress toward or achieving its goals. Since progress is data driven and public, all stakeholders can access the achievement levels of the Evergreen Academy on the IDOE website. For ease of understanding, report card data will be shared annually with parents through the school website and through newsletters. The School Leader will keep the Charter board members aware of where we are in our progress at each monthly board meeting.

## **School Policies and Procedures**

*Each of the following components of the application will be evaluated by Pass or Fail criteria. For each of the Sections under School Policies and Procedures, resources are provided in the form of web-links to model policies or school law statutes. Since these are draft policies and procedures, each applicant organization is responsible for ensuring that the board of trustees for the proposed charter school has approved the final policies and procedures at a formal board meeting after the school is approved. In addition, the school's policies and procedures, for all approved charter schools, will become a part of the contract between the charter school and Ball State University.*

### **33. Policy Regarding Organizer Governance**

*Please attach a statement of assurance that the organizing group is in compliance with the BSU Policy Regarding Organizer Governance.*

Attach your Policy Regarding Organizer Governance – as a PDF (Portable Document Form) named, **Attachment 33 – Policy Regarding Organizer Governance**

### **34. Proposed Governing Bylaws**

*Please attach a set of by-laws for the proposed school, which includes the charter school's method for appointment/election of board members and the length of the terms established for each board member position.*

Attach your Proposed Governing By-laws - as a PDF (Portable Document Form) named, **Attachment 34 – Proposed Governing By-laws**

### **35. School Admissions Policy and Criteria**

*Attach plans and timelines for student recruitment and enrollment, including lottery procedures.*

Attach School Admission Policy – as a (Portable Document Form) named, **Attachment 35 – School Admissions Policy**

### **36. Discipline Policy**

*Attach the charter school discipline rules and procedures including: student due process and judicial review; firearms and deadly weapons; and reporting of student violations of law.*

### **37. Health and Safety Measures**

*Attach the description of how the school will meet health requirements and identify the persons responsible for ensuring health and safety requirements are met.*

Attach your Health and Safety Measures - as a PDF (Portable Document Form) named, **Attachment 37– Health and Safety Measures**

### **38. School’s Leadership and Teacher Employment Policies**

*Attach a copy of the proposed school’s personnel policies, including at least the following information:*

Attach your School’s Leadership and Teacher Employment Policies- as a PDF (Portable Document Form) named, **Attachment 38– School’s Leadership and Teacher Employment Policies**

### **39. Policy Regarding Criminal Histories**

*Please attach the charter school's policy regarding criminal history.*

Attach your Policy Regarding Criminal Histories - as a PDF (Portable Document Form) named, **Attachment 39– Policy Regarding Criminal Histories**

### **40. Policy Regarding Conflict of Interest**

*Attach the conflict of interest policy. The conflict of interest policy must be written to apply not only to board members, but to administrators and employees of the school as well.*

Attach your Policy Regarding Conflict of Interest - as a PDF (Portable Document Form) named, **Attachment 40 – Policy Regarding Conflict of Interest**

### **41. Complaint Policy**

*Attach the policies of the charter school's board for handling complaints from individuals or groups.*

Attach your Complaint Policy - as a PDF (Portable Document Form) named, **Attachment 41 – Complaint Policy**

## **42.Special Education**

*Provide a policy and procedures manual specifying the charter school's plan for compliance with state and federal regulations.*

Attach your Policy Regarding Special Education- as a PDF (Portable Document Form) named, **Attachment 42 – Policy Regarding Special Education**

## **43.Parental Access to Education Records**

*Provide the charter school's policy concerning parental access to a child's education records.*

Attach your Parental Access to Education Records policy- as a PDF (Portable Document Form) named, **Attachment 43– Parental Access to Education Records**

## **44.Dissolution Procedures**

*Attach the procedures that the school would follow in the event of the closure and dissolution of the charter school, including for the transfer of students and student records, execution of a closure plan, and for the disposition of school assets.*

Attach your Dissolution Procedures Policy- as a PDF (Portable Document Form) named, **Attachment 44 – Dissolution Procedures Policy**

## **45.Patriotic Commemorative Observances**

*Submit your policy regarding the observance of holidays.*

Attach your Policy Regarding Patriotic Commemorative Observances - as a PDF (Portable Document Form) named, **Attachment 45– Policy Patriotic Commemorative Observances**

## **46. Personal Financial Responsibility Instruction**

*Submit your policy regarding personal financial responsibility instruction.*

Attach your Policy Regarding Personal Financial Responsibility Instruction - as a PDF (Portable Document Form) named, **Attachment 46– Policy Personal Financial Responsibility Instruction**

## **47. School Safety Plan**

*Submit your school safety plan.*

Attach your Policy Regarding School Safety Plan as a PDF (Portable Document Form) named, **Attachment 47– School Safety Plan Policy**

## **48. Dress Code Policy** *(if applicable)*

*If the charter school would implement a dress code policy, provide such policy including a description of how the cost of any uniform would be subsidized for parents unable to afford them.*

Attach your Dress Code Policy as a PDF (Portable Document Form) named, **Attachment 48 – Dress Code Policy**

## **49. Student and Parent Handbook**

*Submit a copy of your student and parent handbook.*

Attach your Student and Parent Handbook as a PDF (Portable Document Form) named, **Attachment 49 – Student and Parent Handbook**

## **50. Transportation Plan and Policy**

*Describe the transportation policy for students, including arrangements made for students whose IEP's specify transportation as a related service.*

Attach your Transportation Plan and Policy as a PDF (Portable Document Form) named, **Attachment 50– Transportation Plan and Policy**

## **51. Food Services Plan and Policy**

*Describe the plans for food services to be provided by the charter school. Include the Board's food services policy.*

Attach your Food Services Plan and Policy as a PDF (Portable Document Form) named, **Attachment 51– Food Services Plan and Policy**

## **52. School Promotion Policy**

*Explain the policy and criteria your school will use for promoting students from grade to grade.*

Attach your School Promotion Policy as a PDF (Portable Document Form) named, **Attachment 52 – School Promotion Policy**

## **53. Detailed School Start-up Plan:**

*Provide a Pre-Opening Plan that documents key tasks to be completed between approval of the application and opening of the school. Include a schedule for initiation, development and completion of those tasks, identify primary responsibility by individual or position, and document anticipated resource needs.*

Attach your Detailed School Start-up Plan as a PDF (Portable Document Form) named, **Attachment 53 – Detailed School Start-up Plan**

**APPLICANT SCREENING REPORT**

P.O. BOX 295  
DANVILLE, IN 46122  
VOICE 317-745-6946  
FAX 317-745-6947

FILE #	100910 / MCCULLOCH-PRINCIPAL	REPORT DATE	01/11/2010	Kris Williams
REPORT TO	MARION COMMUNITY SCHOOLS	DATE ORDERED	01/08/2010	Glenda Davis
	(R8ESC) 814			
STREET	1240 S ADAMS ST	REPOSITORIES		
CITY/ST/ZIP	MARION, IN 46953	TYPE	LEVEL I VOLUNTEER SCREEN	
			\$16.95	

**APPLICANT INFORMATION**

APPLICANT	BOWYER, KELLEY SUZANN	SOC SEC	XXX-XX-8515	DOB	12/26/1967
ADDRESS	17777 N CR 170 W	CITY/ST/ZIP	MUNCIE, IN 47303		

**REPOSITORIES**

Personal ID Verification & Social Security Verification

RESULTS RECORDS FOUND

SSN SEARCHED XXX-XX-8515

FULL NAME / SSN	AGE / DOB	ADDRESS	DATES	PHONE INFORMATION
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**WARNING:** This search may not be used as the basis for an adverse action on an applicant. It should only be used to verify or correct an applicant's information, or as a tool to further research of public records or other verifications.

**INVESTIGATIVE****NATIONAL CRIMINAL & SEX OFFENDER DATABASE SEARCH**

RESULTS NO REPORTABLE RECORDS FOUND

NAME(S) SEARCHED KELLEY BOWYER

DOB SEARCHED 12/26/1967

JURISDICTION(S) SEARCHED The search you have selected is a search of the data sources listed in the description and may not represent 100% coverage of all the criminal records in the jurisdiction and or sources you have selected.

AK AOC, AL DOC, AR AOC, AR DOC, AZ Courts, AZ DOC, AZ-Maricopa, AZ-Mohave Superior Court, AZ-Pima, AZ-Pima Superior Court, CA-Butte Superior, CA-Contra Costa, CA-Fresno, CA-Kern Superior, CA-Los Angeles, CA-Marin Superior, CA-Orange, CA-Riverside, CA-Sacramento, CA-San Bernadino, CA-San Diego, CA-Santa Barbara, CA-Santa Clara, CA-Santa Cruz, CA-Shasta Superior, CA-Stanislaus, CA-Ventura, CO DOC, CO-Denver Criminal Court, CT AOC, CT DOC, CT DPS, DC DOC, FL AOC, FL DOC, FL-Alachua, FL-Bay, FL-Brevard, FL-Broward, FL-Charlotte (Englewood Area), FL-Clay, FL-Dade (Miami Area), FL-Duval, FL-Escambia, FL-Hernando, FL-Highlands, FL-

Hillsborough, FL-Indian River, FL-Lee, FL-Leon, FL-Manatee; FL-Marion, FL-Monroe, FL-Orange, FL-Osceola, FL-Palm Beach, FL-Pinellas, FL-Seminole, FL-Sarasota, FL-Suwannee, GA Bureau of Investigation, GA DOC, GA Parole Board File, GA-Bibb, GA-Chatham, GA-Cobb, GA-Dekalb, GA-Richmond, HI DOC, HI AOC, IA AOC, IA DOC, IA DOC Probation, ID DOC, IL DOC, IL-Adams, IL-Bond, IL-Boone, IL-Bureau Courts, IL-Carroll, IL-Champaign, IL-Clark, IL-Coles, IL-Cook, IL-Dupage, IL-Effingham, IL-Franklin, IL-Henry, IL-Iroquois, IL-Jackson, IL-Jo Davies, IL-Lawrence, IL-Lee, IL-Logan, IL-Macoupin, IL-Macon, IL-Marion, IL-McLean, IL-Mercer, IL-Montgomery, IL-Moultrie, IL-Ogle, IL-Peoria, IL-Pike, IL-Richland, IL-Rock Island, IL-Sangamon, IL-Shelby, IL-Stephenson, IL-Union, IL-Vermillion, IL-Wabash, IL-Washington, IL-Wayne, IL-White, IL-Whiteside, IL-Williamson, IL-Woodford, IN DOC, KS DOC, KS-Johnson, KS-Sedgwick, KS-Shawnee, KY DOC, LA DOC, LA-Bossier Parish, LA-Caddo Parish, LA-Orleans Parish, LA-St Tammany, MD AOC, MD DOC, ME DOC, MI DOC, MI-Wayne, MN DOC, MN DPS, MO AOC, MO DOC, MS DOC, MS Parole Board, MS-Harrison, MS-Hinds, MT DOC, NC AOC, NC DOC, ND AOC, NE DOC, NH DOC, NJ Courts, NJ DOC, NM DOC, NM AOC, NM-Bernalillo, NV DOC, NV-Clark, NY DOC, OH DOC, OH Supplemental DOC, OH-Adams, OH-Allen, OH-Ashland, OH-Ashtabula, OH-Athens, OH-Auglaize, OH-Brown, OH-Butler, OH-Champaign, OH-Clark, OH-Clermont, OH-Columbiana, OH-Coshocton, OH-Crawford, OH-Cuyahoga, OH-Delaware, OH-Fairfield, OH-Fayette, OH-Franklin, OH-Fulton, OH-Geauga, OH-Greene, OH-Guernsey, OH-Hamilton, OH-Hancock, OH-Hardin, OH-Highland, OH-Huron, OH-Knox, OH-Lake, OH-Lawrence, OH-Licking, OH-Lorain, OH-Lucas, OH-Mahoning, OH-Marion, OH-Medina, OH-Monroe, OH-Montgomery, OH-Muskingum, OH-Ottawa, OH-Portage, OH-Preble, OH-Putnam, OH-Richland, OH-Ross, OH-Sandusky, OH-Scioto, OH-Seneca, OH-Stark, OH-Summit, OH-Trumbull, OH-Tuscarawas, OH-Warren, OH-Washington, OH-Wayne, OH-Wood, OK DOC, OK Criminal Justice Resource Center, OK-Adair, OK-Alfalfa, OK-Atoka, OK-Beaver, OK-Beckham, OK-Blaine, OK-Bryan, OK-Caddo, OK-Canadian, OK-Carter, OK-Choctaw, OK-Cherokee, OK-Cleveland, OK-Comanche, OK-Coal, OK-Cotton, OK-Craig, OK-Creek, OK-Custer, OK-Delaware, OK-Ellis, OK-Garfield, OK-Garvin, OK-Grant, OK-Greer, OK-Harmon, OK-Harper, OK-Haskell, OK-Hughes, OK-Jackson, OK-Jefferson, OK-Kay, OK-Kingfisher, OK-Kiowa, OK-Latimer, OK-Leflore, OK-Lincoln, OK-Logan, OK-Love, OK-Major, OK-Marshall, OK-Mayes, OK-McCurtain, OK-McIntosh, OK-McClain, OK-Murray, OK-Muskogee, OK-Noble, OK-Nowata, OK-Okfuskee, OK-Oklahoma, OK-Okmulgee, OK-Osage, OK-Ottawa, OK-Pawnee, OK-Payne, OK-Pittsburg, OK-Pontotoc, OK-Pottawatomie, OK-Pushmataha, OK-Roger Mills, OK-Rogers, OK-Seminole(Wewoka), OK-Sequoyah, OK-Stephens, OK-Tillman, OK-Texas, OK-Tulsa, OK-Wagoner, OK-Washington, OK-Washita, OK-Woods, OR AOC, OR DOC, PA AOC, PA DOC, RI DOC, RI AOC, SC DOC, SC-Anderson, SC-Florence, SC-Greenville, SC-York, TN AOC, TN AOC-Supplemental, TN DOC, TN METH, TN-Davidson, TN-Hamilton, TN-Rutherford, TX DPS, TX Dept of Criminal Justice, TX-Bexar, TX-Brazoria, TX-Brazos, TX-Cameron Texas, TX-Chambers, TX-Collin, TX-Comal, TX-Dallas, TX-Denton, TX-El Paso, TX-Ft. Bend, TX-Galveston, TX-Grayson, TX-Gregg, TX-Harris, TX-Jefferson, TX-Johnson, TX-Kaufman, TX-Lamar, TX-Midland, TX-Montgomery (Fel), TX-Montgomery (Misd), TX-Nueces, TX-Parker, TX-Potter, TX-Rockwall, TX-Smith, TX-Tom Green, TX-Travis, TX-Victoria, TX-



Waller, TX-Williamson, UT AOC, UT DOC, VA AOC, VA DOC, VA-Fairfax, VT DOC, WA AOC-District/Municipal Court, WA AOC-Superior Court, WA DOC, WI Courts, WI DOC, WV DOC, P.R.I.O.R.S., Foreign Nationals/Office of Foreign Asset Control, Sex Offender Registry

CAUTION: Based On The Information Provided We Searched Our Database For The Above Mentioned Jurisdiction(s) For Criminal Convictions And Found No Individual By This Identification. This Means That No One By This Identification Is Within Our Database As Convicted Of A Criminal Charge For These Jurisdiction(s). Therefore It Cannot Be Confirmed That The Applicant Has Not Ever Been Convicted Of A Criminal Charge. Further Investigation May Be Warranted. Call For Assistance!

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**COUNTY CRIMINAL RECORDS SEARCH**

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RESULTS NO REPORTABLE RECORDS FOUND  
NAME(S) SEARCHED BOWYER, KELLEY SUZANN  
DOB(S) SEARCHED 12/26/1967  
JURISDICTION(S) IN-DELAWARE

CAUTION: Based On The Information Provided We Searched The Above Mentioned Jurisdiction(s) For Criminal Convictions For No Less Than Seven Years And Found No Individual By This Identification. This Means That No One By This Identification Has Been Found As Convicted Of A Criminal Charge In These Jurisdiction(s). Further Investigation Into Additional Jurisdictions May Be Warranted. Please Call For Assistance.

---

**INDIANA PARTICIPATING CRIMINAL COURTS SEARCH**

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RESULTS: NO REPORTABLE RECORDS FOUND.

ADDITIONAL: MANUALLY RECHECKED NATIONAL SEX OFFENDER REGISTRY/NO REPORTABLE RECORDS FOUND.

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**DISCLAIMER**

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This report is furnished to you pursuant to the Agreement for Service between the parties and in compliance with the Fair Credit Reporting Act. This report is furnished based upon your certification that you have a permissible purpose to obtain the report. The information contained herein was obtained in good faith from sources deemed reliable, but the completeness or accuracy is not guaranteed.

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**\*\*\* END OF REPORT \*\*\***

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**COPY** ✓**Mike DeWine**  
Ohio Attorney General

March 24, 2011

7555 TURTLE CREEK DR  
DAYTON, OH 45414**NO FBI RECORD ON FILE**  
**AUTHENTICATION NO. CS00658113LE5029**  
**ICN: E201108000000101274**

The Federal Bureau of Investigation (FBI) has completed a criminal history record check on the applicant listed below. Based upon the information furnished by your agency, the FBI has **NO CRIMINAL HISTORY RECORD** on file for:

**Name:** SMITH, CYNTHIA L  
**SSN:** XXX-XX-0216  
**FBI Completion Date:** March 21, 2011  
**Reason Fingerprinted:** 3319.39  
**Agency ID:** 3SR540

This "No Record" verification is valid for one year from the record check completion date. This letter may be photocopied by the prospective employer and retained by the applicant.

Thomas J. Stickrath  
Superintendent, Ohio Bureau of Criminal  
Identification & Investigation

**Ohio Bureau of Criminal Identification and Investigation**

P.O.Box 365  
London, OH 43140  
Telephone: (740) 845-2000  
Facsimile: (740) 845-2020

*An Internationally Certified Law Enforcement Agency*[www.ag.state.oh.us](http://www.ag.state.oh.us)

**COPY****Mike DeWine**  
Ohio Attorney General

March 24, 2011

7555 TURTLE CREEK DR  
DAYTON, OH 45414**NO BCI&I RECORD ON FILE**  
**AUTHENTICATION NO. CS00658113LE5029**

The Ohio Bureau of Criminal Identification and Investigation (BCI&I) has completed a criminal history record check on the applicant listed below. Based upon information furnished by your agency, BCI&I has **NO CRIMINAL HISTORY RECORD** on file for:

**Name:** SMITH, CYNTHIA L  
**SSN:** XXX-XX-0216  
**BCI Completion Date:** March 21, 2011  
**Reason Fingerprinted:** Responsible for care, custody, control of children  
**Agency ID:** 3SR540

This "No Record" verification is valid for one year from the record check completion date. This letter may be photocopied by the prospective employer and retained by the applicant.

Thomas J. Stickrath  
Superintendent, Ohio Bureau of Criminal  
Identification & Investigation

**Ohio Bureau of Criminal Identification and Investigation**

P.O.Box 365  
London, OH 43140  
Telephone: (740) 845-2000  
Facsimile: (740) 845-2020

*An Internationally Certified Law Enforcement Agency*[www.ag.state.oh.us](http://www.ag.state.oh.us)

## Attachment 2: Attitudes Toward the Charter

### *Feedback from Constituents*

In addition to the meetings with the Alexandria Chamber of Commerce Board and the Superintendent of the Alexandria Schools, two surveys were completed to solicit feedback from the community not related to the businesses or schools.

1. Focus group results and survey responses from 2009.

Survey Questions	Yes	No	NA
1. Are you satisfied with the academic performance of your child's/grandchild's school?	35%	59%	6%
2. Do you support parent's ability to choose where their child can go to school?	100%	0%	0%
3. Are you familiar with charter schools?	65%	35%	0%
4. If you are familiar with charter schools, how would you rate them?			
a. Favorable: 59%			
b. Somewhat Favorable: 13%			
c. Unfavorable: 3%			
d. Non-respondent: 25%			
5. What do you feel is the most valuable aspect of your child's/grandchild's education?			
a. Good Education: 15 remarks			
b. Discipline: 7 remarks			
c. One-on-one teacher/student: 2 remarks			
d. Arts: 2 remarks			
e. Good Learning Environment: 2 remarks			
f. Self Confidence: 1 remark			

As the table indicates, the academic performance of Alexandria schools did not appear to be satisfactory to most local citizens. At that time, 59 % were not satisfied with the academic performance of Alexandria schools. 100% supported the concept that more school choice should

be available to parents. The survey also suggested that Alexandria residents are reasonably familiar with charter schools even though none have opened yet. 65% of the residents were familiar with them. Finally, of those familiar with charter schools, a vast majority -- 72% -- had either a favorable or somewhat favorable opinion of charter schools.

Current surveys completed in the summer of 2011 show that the level of support for, and the positive attitudes toward Charter schools is growing. A Zoomerang Survey was sent to over 100 email addresses in the area of the school. 25 surveys were completed on line at the Zoomerang Site, and another 22 surveys were collected at a public event in the Delaware Community School district for 47 total responses.

## 2. Zoomerang Results

<u>Respondents = 47</u>	<u>Yes</u>	<u>Not Sure</u>	<u>No</u>
Are you familiar with charter schools?	72%	17%	11%
Do you believe that having a choice of public schools to attend is a benefit?	94%	6%	0%
Do you believe that having another public school option for students in Madison, Grant, and the Delaware County area would be a benefit to children and families?	94%	0%	6%
Do you believe that public schools are adequately meeting the needs of struggling students?	6%	24%	71%
Do you think that a public school should offer more hours of instruction for children, either during the day or over the course of the year?	39%	22%	39%
Would you consider a high quality charter school education for your child should one be available in your community?	78%	17%	6%
If you were considering a local charter school as you choice in public education, would you be willing to transport your child?	88%	2%	0%
I believe that I have the right to select the school that best meets the needs of my child.	100%		
I would support the addition of a charter school option in my community.	83%	17%	0%

## Achievement Data (Source, IDOE data)

### Adequate Yearly Progress (AYP) and 2010-11 ISTEP (English and Math) Pass Percentage

School	2011	ISTEP Pass % (English & Math)			
<b>Below State average ISTEP scores</b>	Made AYP?	Grade 6	Grade 7	Grade 8	State Average Passage % K-8
<b>Alexandria Community Schools</b>					
Alexandria Monroe Intermediate	Y		63.2	70.6	66.2
<b>Delaware Community Schools</b>					
Delta Middle School	N	59.3	61.1	75.1	66.2
<b>Marion Community Schools</b>					
Justice Thurgood Marshall Int.	N	56.0	51.5	44.3	66.2
J.L. McCulloch Jr. High	N	53.3	43.4	51.9	66.2
<b>Dr. Robert Faulkner Academy</b>	Y	40.0	----	----	66.2
<b>Muncie Community Schools</b>					
Northside Middle School	Y	59.0	52.7	52.7	66.2
Wilson Middle School	N	47.5	41.8	33.1	66.2
<b>Madison-Grant United School Corp</b>					
Madison-Grant Jr. High	N	--	69.4	57.0	66.2
Summitville School	Y	86.4			66.2
<b>Frankton-Lapel Community Schools</b>					
Frankton Jr-Sr High School	N	--	60.4	69.4	66.2

Lapel Middle School	Y	75.5	77.5	80.9	66.2
<b>Anderson Community School Corp.</b>					
East Side Intermediate	N	50.	52.2	52.9	66.2
Northside Intermediate	N	42.3	39.4	38.7	66.2
<b>Anderson Preparatory Academy</b>	N	56.8	52.1	52.2	66.2
<b>Elwood Community School Corp.</b>					
Elwood Community Middle School	N	45.9	45.6	61.3	66.2

*\*Elwood Middle School, Anderson High School and Marion High School have never made AYP.*

The following is based on Spring 2011 ISTEP testing results from the Indiana Department of Education. The two categories of English Language Arts and Math were chosen because those areas reflect the basic skills areas all students need in order to learn content material across all subjects.

Students of lower socio-economic groups and special needs students are not passing ELA and Math sections of the ISTEP at the same rates as their more well to do, and typically developing peers in the surrounding school districts where the Evergreen Academy proposes to operate.

### **Comparison of students receiving free or reduced meals to those who do not on English Language Arts & Math passage rates on ISTEP.**

	<b>Socio Economic Status Category</b>	<b>ISTEP Both ELA and Math Test N</b>	<b>ISTEP Both ELA and Math Total Pass N</b>	<b>ISTEP Both ELA and Math Total Pass %</b>
Delaware Community School Corp	Paid meals	743	601	80.9%
	Free/Reduced price meals	444	260	58.6%
Wes-Del Community Schools	Paid meals	195	166	85.1%
	Free/Reduced price meals	147	112	76.2%
Muncie Community Schools	Paid meals	677	532	78.6%
	Free/Reduced price meals	2049	1088	53.1%
Marion Community Schools	Paid meals	497	380	76.5%
	Free/Reduced price meals	1227	560	45.6%



Frankton-Lapel Community Schools	Paid meals	788	639	81.1%
	Free/Reduced price meals	480	310	64.6%
Alexandria Com School Corp	Paid meals	333	268	80.5%
	Free/Reduced price meals	325	209	64.3%
Anderson Community School Corp	Paid meals	873	640	73.3%
	Free/Reduced price meals	2430	1173	48.3%
Elwood Community School Corp	Paid meals	222	148	66.7%
	Free/Reduced price meals	451	223	49.4%
Monroe Central School Corp	Paid meals	223	170	76.2%
	Free/Reduced price meals	233	159	68.2%

In addition to having a high risk of failure by having low income status, special needs populations are documented to not advance at the same level as their peers in ISTEP scores.

### **Comparison of Special Needs Populations to General Education Students on English Language Arts & Math passage rates on ISTEP.**

<b>Corporation Name</b>	<b>Special Ed Status</b>	<b>ISTEP Both ELA and Math Test N</b>	<b>ISTEP Both ELA and Math Total Pass N</b>	<b>ISTEP Both ELA and Math Total Pass %</b>
Delaware Community School Corp	General Education	993	765	77.0%
	Special Education	193	95	49.2%
Wes-Del Community Schools	General Education	327	269	82.3%
	Special Education	15	9	60.0%
Muncie Community Schools	General Education	2246	1448	64.5%
	Special Education	480	172	35.8%
Marion Community Schools	General Education	1495	901	60.3%
	Special Education	229	40	17.5%
Frankton-Lapel Community Schools	General Education	1123	884	78.7%
	Special Education	145	65	44.8%
South Madison Com School Corp	General Education	1699	1365	80.3%
	Special Education	290	122	42.1%
Alexandria Com School Corp	General Education	575	437	76.0%
	Special Education	83	40	48.2%
Anderson Community School Corp	General Education	2869	1664	58.0%
	Special Education	434	148	34.1%
Elwood Community School Corp	General Education	579	343	59.2%

	Special Education	96	28	29.2%
Monroe Central School Corp	General Education	383	312	81.5%
	Special Education	73	17	23.3%

In general, all ethnic subgroups with the exception of Asian students scored lower than white students on the English Language Arts and Math ISTEP tests. Only in two school districts (Alexandria and Monroe Central) did white students have passage rates lower than another student subgroup.

### Comparison of Ethnicity and Passage Rates on both ELA and Math ISTEP Tests.

Corporation Name	Ethnicity	ISTEP Both ELA and Math Test N	ISTEP Both ELA and Math Total Pass N	ISTEP Both ELA and Math Total Pass %
Delaware Community School Corp	American Indian	***	***	***
	Black	11	8	72.7%
	Hispanic	***	***	***
	White	1137	828	72.8%
	Multiracial	22	14	63.6%
	Asian	***	***	***
Muncie Community Schools	American Indian	12	5	41.7%
	Black	557	243	43.6%
	Hispanic	69	43	62.3%
	White	1806	1174	65.0%
	Multiracial	260	140	53.8%
	Native Hawaiian or Other Pacific Islander	***	***	***
	Asian	21	15	71.4%
Madison-Grant United School Corp	Black	***	***	***
	Hispanic	11	8	72.7%
	White	625	468	74.9%
	Multiracial	***	***	***
	Native Hawaiian or Other Pacific Islander	***	***	***
	Asian	***	***	***
Marion Community Schools	American Indian	***	***	***
	Black	348	134	38.5%
	Hispanic	137	61	44.5%

	White	938	582	62.0%
	Multiracial	280	146	52.1%
	Asian	20	18	90.0%
Frankton-Lapel Community Schools	American Indian	***	***	***
	Black	***	***	***
	Hispanic	25	8	32.0%
	White	1193	905	75.9%
	Multiracial	37	23	62.2%
	Asian	***	***	***
South Madison Com School Corp	American Indian	***	***	***
	Black	31	12	38.7%
	Hispanic	35	25	71.4%
	White	1845	1388	75.2%
	Multiracial	56	41	73.2%
	Asian	20	19	95.0%
Alexandria Com School Corp	American Indian	***	***	***
	Black	***	***	***
	Hispanic	19	14	73.7%
	White	620	448	72.3%
	Multiracial	14	11	78.6%
	Asian	***	***	***
Anderson Community School Corp	American Indian	***	***	***
	Black	667	252	37.8%
	Hispanic	207	86	41.5%
	White	2182	1331	61.0%
	Multiracial	230	132	57.4%
	Native Hawaiian or Other Pacific Islander	***	***	***
	Asian	13	12	92.3%
Elwood Community School Corp	Black	***	***	***
	Hispanic	32	14	43.8%
	White	618	345	55.8%
	Multiracial	18	10	55.6%
	Asian	***	***	***
Monroe Central School Corp	American Indian	***	***	***
	Black	***	***	***
	Hispanic	10	7	70.0%
	White	430	309	71.9%
	Multiracial	10	8	80.0%



# The Evergreen Academy

## Calendar and Daily Schedule

<b>School Calendar and Daily Schedule 2012-2013</b>	
Organization Day for Teachers	Aug. 15
Students' First Day	Aug. 16
Labor Day – No School	Sept. 3
Fall Break – No School	Oct. 22-26
Thanksgiving	Nov. 22-23
Winter Break	Dec.21-Jan. 2
Martin Luther King – No School	Jan. 21
President's Day – No School	Feb. 18
Spring Break – No School	Mar. 25-29
Memorial Day – No School	May 27
Last Day for Students	May 30
Last Day for Teachers	May 31
Student Days	180
Teacher Days	182
<b>Instructional Day</b>	<b>8:00-3:00 ( 6.5 hrs instruction .5 lunch)</b>
Literacy Block	8:00-9:30 (90 minutes)
Math Focus	9:30-11:00 (90 minutes)
Lunch/Specials	11:00- 1:00
Science/ Social Studies	1:00-3:00 (120 minutes)
Tutoring/Enrichment	3:00-4:30 ( 90 minutes)

## **The Evergreen Academy Assessment System**

Formative and Summative assessment is an integral part of the Understanding by Design instructional design model, and is ongoing throughout the year. Formative assessment will be used throughout the instruction process to judge the progress of student comprehension. Lessons will be modified and concepts re-taught based on the formative assessments.

Summative assessments will be used to judge the outcome of the instruction. If students do not do well on the summative assessment, instruction will need to be repeated using a different process.

Many of our assessments will be taken online using the Acuity system. Acuity has remediation activities built directly into it. When a student doesn't perform well on a certain standard the teacher assigns the remediation activity for the student to work on directly in Acuity. Acuity will alert the teacher when the student masters it and is ready to move on.

Special education students and children in the K-2 grades will participate in the Response to Intervention system of assessment and remediation. This also is an ongoing technologically based system of formative and summative assessment for teachers to rely on when determining student achievement.

Reports on student achievement can be generated in multiple ways and in many different intervals during the year.

High Stakes assessments applying to K-8 children will occur according to the schedule set forth by the State. That schedule is shown below.

### Indiana Assessment Windows 2011-2012

Month	Name of Assessment	Assessment Window Begins	Assessment Window Ends
August	mCLASS: Reading 3D	8/22	9/19
September	mCLASS: Math Acuity Predictive A ELA/Math	9/12 9/26	10/7 10/7
October	Acuity Diagnostic 1 ECA (Fall) NAEP –Long-Term Trend	10/12 10/17 10/10	11/2 11/11 12/16
November	Acuity Predictive B ELA/Math Acuity Predictive A Algebra I	11/28 11/7	12/9 11/21
December	Acuity Predictive B SC/SS ECA (Early Winter)	12/5 12/8	12/16 12/21
January	ECA (Early Winter Cont'd) Acuity Diagnostic 2 mCLASS: Reading 3D LAS Links NAEP –Long-Term Trend mCLASS: Math Acuity Predictive B Algebra I	1/4 1/9 1/9 1/18 1/9 1/30 1/30	1/17 1/30 2/3 2/24 3/16 2/24 2/10
February	Acuity Predictive C SC/SS ECA (Late Winter) Acuity Predictive C ELA/Math	2/1 2/13 2/8	2/15 3/9 2/23
March	ISTAR ISTEP+ Applied Skills Acuity Diagnostic 3 IREAD 3 NAEP –Long-Term Trend Acuity Predictive C Algebra I	3/1 3/5 3/14 3/19 3/19 3/26	4/30 3/14 4/4 3/21 5/25 4/13
April	ISTEP+ Multiple-Choice IMAST mCLASS: Reading 3D ECA (Spring) mCLASS: Math	4/30 4/30 4/16 4/23 4/30	5/9 5/9 5/11 6/6 5/25
May	Acuity Diagnostic 4	5/9	5/30
June	ECA (Summer)	6/21	8/2

## Personnel for Special Populations

One full time Special Education Coord./Teacher	\$ 55,000.00
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*Elizabeth Andrews (see resume below)*

One FTE Special Education Teacher	35,000.00
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One para-professional Aide	<u>11,000.00</u>
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Total Salary	\$ 101,000.00
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### **Elizabeth L. Andrews**



39 Snow Flake Circle  
msunnydays0006@aol.com

Email:

Greenwood, IN 46143  
517-6660

Phone: (317)

#### ◆ Education

- **Administrative License**, Indiana Wesleyan University, 2006
- **Masters of Science in Education**, Indiana University, 1996
- **Indiana Teaching License**: Government, American History, World History and Special Education
- **Paralegal Certificate**, National Academy for Paralegal Studies, 1993
- **B.A. Political Science and Afro-American Studies**, Indiana University, 1991

#### ◆ Experience

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2009-2011     **Assistant Principal, Marion High School, Marion, Indiana**

- Managed all special education and Section 504 issues including discipline (In-School-Suspension, Out-of-School, Manifest Determination, and Expulsion Hearings), department meetings, organization of processes, & case conferences.

- Oversaw and created attendance office procedures for truancy and tardies, study team meetings, probation and prosecutor referrals, & incentives for attendance.
- Directed all state mandated assessment – End of Course (ECA) and Graduating Qualifying Exam (GQE). Provided, created, and organized remediation for Graduation Qualification Exams.
- Collaborated with teachers to align curriculum and assessment, utilizing the 8 Step Process to increase student achievement on the ECA in Alg. I, Eng. 10 and 11, & Bio I.
- Maintained Compliance for all Department of Education Reports.
- Supervised and built rapport with Students and Staff - Maintained Safe Learning Environment.
- Committees: 8 Step Process, Instructional Leadership Team, PBIS (School Wide Positive Intervention Program), Attendance, & School Improvement Committee.

2005-2009 *Franklin Township Community School Corporation (FTCSC), Indianapolis, IN*

2008-2009 **Special Education Teacher, FTMS East, FTCSC**

- 8<sup>th</sup> grade inclusion teacher with an emphasis on pre-algebra and Eng./L.A. instruction.
- Maintain all IEP paperwork in compliance with IDEIA and Article 7 using ISTART 7
- Chair all IEP conferences including Manifest Determination Conferences.

2007-2008 **Director of Special Programs, FTCSC**

- Directed programs: Title I, English as a New Language (ENL), High Ability, District Assessments, and Literacy for 10 buildings grades K-12 for over 8,000 students.
- Wrote five grants and managed all aspects of these budgets totaling approximately \$1,200,000
- Supervise teachers and administrators.
- Develop criteria and filters working with the Rooney Foundation on a data warehouse to screen and track historical assessment data.
- Develop identification processes and revamped High Ability program.



- Revamped Title I program to include instructional coaches and fair share full day kindergarten.
- Wrote Excel formulas and sheets to rank Title I, screen for high ability, and manage my budgets.
- Provided instructional leadership in curriculum.
- Trained administrators in on-line reporting system (INORS) for ISTEP.
- Create protocol, management systems, and chains of communication for programs.
- Guided coaches and teachers in their professional learning communities.
- Provided open communication with all stakeholders.
- Developed McKinney Vento Homeless database and monitoring/referrals for students.
- Created training opportunities for local preschools in the area of literacy and math.
- Managed and coordinated all district-wide assessment including ISTEP, Terra Nova, DIBELS, Raven, TOMAGS, INVIEW, LAS Links, and End of Course Assessments both winter and spring.
- Created and submitted all state reports.
- Chaired conferences.

2006-07

**Administrator of Literacy, FTCSC**

- Responsible for district-wide literacy initiative and a \$600,000 Lilly Literacy Grant.
- Oversaw and maintained compliance with Lilly Grant requirements.
- Provided training based on scientifically researched strategies to provide explicit, systematic reading instruction in the Five Essential Components identified by the National Reading Panel Report (2000) for literacy: Phonemic Awareness, Alphabetic Principal, Fluency, Vocabulary, and Comprehension.
- Supervised, and trained literacy coaches in K-12 schools. (Coaches supports, train, provide professional development for faculty, facilitate book studies, model strategies, and provide resources/strategies to parents to create sustainability).
- Created Literacy Website in collaboration with faculty, administrators, and the Webmaster.
- Conducted Literacy Parent Nights.
- Supported General Education Interventions (GEI)'s processes.
- Established recommended guidelines for K-6 textbook adoption.

- Directed weekly Professional Learning Community (PLC) meetings.
- Purchased resources, books, and materials- K-12 buildings for remediation.
- Facilitated language arts curriculum mapping and identification of K-12 “Power Standards.”
- Administrator- McKinney Vento Act for homelessness.
- Inventoried Title I Parent, Professional, and Instructional Library books/materials working in conjunction with the Media Specialists to computerize this system.

2005-06

**Administrative Intern, FTCSC, Franklin Central High School, Indianapolis, IN**

- Administrated Special Education Case Conferences.
- Managed and coordinated a donation relief effort for a sister school in Mississippi affected by Hurricane Katrina.
- Facilitated a school culture audit.
- Evaluated teachers through Teacher Assessment System (TAS), a teacher-led evaluation model.
- Trained faculty in Special Education law updates and adaptations to curriculum.
- Collaborated with teams to better utilize/reorganize special education resources.
- Analyzed data to identify strengths/weaknesses to improve the learning environment
- Coordinated - school wide reading initiative created by teachers and uniformly implemented across curriculum.
- Contributing member; School Improvement Committee, Professional Learning Communities, Curriculum Blitz(s), Department Chair, Staff, and Administrative meetings, and Safe and Drug Free/AID(s) Council.
- Collaboratively wrote and obtained \$5,000 for a Drug Free programs.

2003-04

**Student Teacher Supervisor, Franklin College, Franklin, IN**

- Supervised, guided, and prepared student teachers in Indiana elementary schools.
- Collaborated with students, cooperating teachers, and principals to ensure a smooth positive teaching experience.
- Completed assessments, set deadlines, reviewed lesson plans and graded student work.

1999-02

**Special Ed. Dept. Chair/Teacher, Mooresville High School, Mooresville, IN**

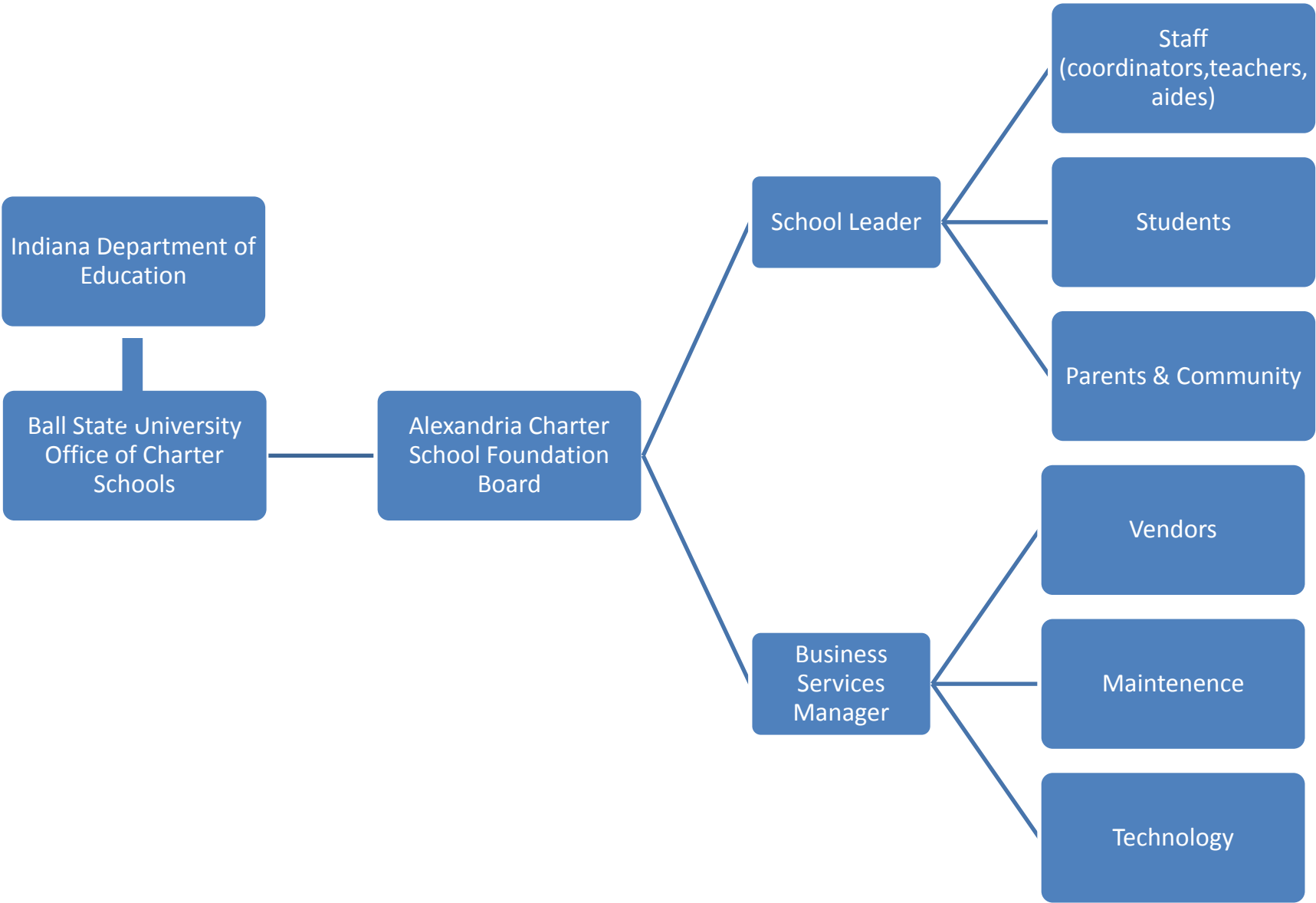
- Managed all aspects of the Special Ed. Dept. including supervising faculty and staff, managing personnel issues, chairing over 200 case conferences, disseminating current Article 7/IDEA changes to the Department, preparing statistics and data, coordinating department field trips, and in-servicing faculty and staff.
- Taught social studies and English (production of *Romeo and Juliet*), team-taught science and health, prepared IEPs, monitored students' progress, & consulted with administration, teachers and parents.
- Negotiation Committee: 2001
- Curriculum Committee: 2001
- Suspension and Referral Committee: 2001

**◆ Additional Experience**

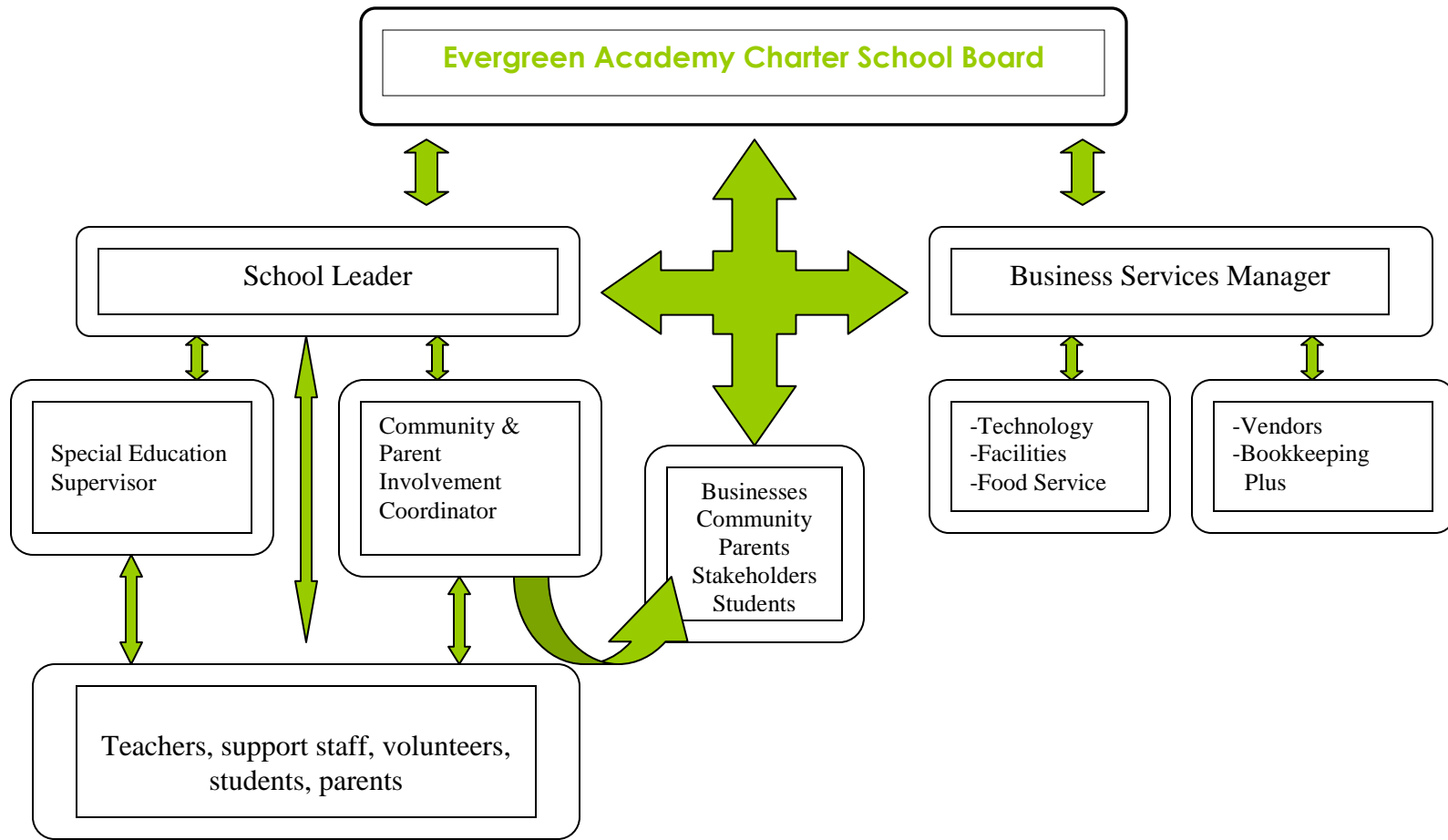
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2003-2005	Private Tutor
2003-2004	Adjunct Faculty, Franklin College, Franklin, IN
2002-2003	Special Education Teacher, Franklin, TN
1999-2002	Special Education Teacher, Mooresville, IN
1997-1998	Alternative Teacher, Indianapolis, IN

Organizational Chart for Evergreen Academy



# Flow of Information Chart



Articles of Incorporation  
Of  
Alexandria Charter School Foundation Inc.

ARTICLE I

ORGANIZATIONAL

Section 1.1 Name

The name shall be Alexandria Charter School Foundation, Inc.

Section 1.2 Period of Existence

The period of existence of said foundation shall be perpetual.

Section 1.3 Location

The principal office of the Foundation shall be located at 15015 W. Bethel Ave., Alexandria, IN 46001 or such other address within the state of Indiana as authorized by the board of directors.

ARTICLE II

PURPOSES

Section 2.1. Nonprofit Purposes

The purpose for which the Alexandria Charter School Foundation Inc. is organized are exclusively, charitable, scientific, literary and educational within the meaning of section 501 (c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United State Internal Revenue Law.

Section 2.2. Dissolution

Upon the dissolution of the foundation assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provision of any future United State Internal Revenue Law, and shall be distributed to the Alexandria-Monroe Historical Society (313 N. Harrison Street, Alexandria, IN 46001) for a nonprofit purposes, except:

- a. If the University revokes the charter before the end of the term for which it is granted, or does not renew the charter, or the charter is otherwise terminated before the end of the term for which it is granted, the provisions of Indiana Code 20-24-7-9 concerning distribution of local or state funds that remain to be distributed to the charter school shall apply.*
- b. If the Organizer is dissolved, then consistent with Indiana Code 20-24-3-3, all remaining funds and assets shall be distributed as follows:*

- 1. All remaining funds received from the Department of Education shall be returned to the Department of Education not more than thirty (30) days after dissolution; and*
- 2. All other remaining assets of the Organizer and the Charter School shall be used for non-profit educational purposes.*

### ARTICLE III

#### REGISTERED AGENT

The registered agent for the corporation shall be John C. Jacobs, 215015 W. Bethel Ave., Alexandria, IN 46001 or such other agent within the state of Indiana as authorized by the Foundation's board of directors.

### ARTICLE IV

#### BOARD OF DIRECTORS

The board of directors shall consist of not less than five but no more than nine persons.

# Kelley S. Graves

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17777 N CR 170 W Muncie, IN 47303 ♦ (765)749-3530 ♦ kelleybow@gmail.com

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**Objective:** I am a dedicated educator pursuing a leadership position that will maximize opportunities to develop and implement programs, motivate people, and utilize my varied educational leadership experience.

**Education:** **Ball State University**, Muncie, Indiana  
Master of Arts in Education, July 2004  
Educational Administration and Supervision  
**Indiana Administration License K-12**

**Ball State University**, Muncie, Indiana  
Bachelor of Science, July 1990  
Elementary Education  
**Indiana Teaching License 1-6 7/8 non-dept.**

**Training:** **Microsoft Office User Specialist**  
\* Microsoft Word  
\* Microsoft Outlook  
\* Microsoft PowerPoint  
**Marzano Teaching Strategies**  
**Differentiated Instruction**  
**Understanding by Design**  
**7 Habits of Highly Effective People**

**Affiliations:**  
\* **Alpha Sigma Alpha**  
\* **Alpha Phi Omega**  
\* **Tri Kappa**  
\* **Indiana Association of School Principals-- Board of Directors**  
\* **Indiana Computer Educators**  
\* **Indiana Principal Leadership Academy- Group 44**  
\* **National Middle School Association**  
\* **Association for Supervision and Curriculum Development**



**Relevant  
Experience:**

October 2010-present **Marion Community School Corporation**, Marion Indiana  
**District Alternative Services Coordinator/ Attendance Officer**

**Responsibilities included but are not limited to the following:**

- \* Designed and implemented new alternative program for Justice Intermediate School
- \* Designed and implemented Attendance Alternative Program for MHS
- \* Designed and implemented an Alternative to Suspension Program for grades 5-12
- \* In charge of state Alternative Grant
- \* Supervised Alternative School for grades 7-12
- \* Supervised Alternative School at county detention center
- \* Evaluated and supervised teachers and staff
- \* Conducted home visits
- \* Worked with probation officers and truancy officers
- \* Worked collaboratively with MHS administrators to raise attendance rate

June 2010-September 2010 **Marion Community School Corporation**, Justice Intermediate School  
Marion, Indiana Demographics: Urban School, 57% free/reduced, 620 students  
**Principal**

**Responsibilities included but are not limited to the following:**

- \* Started new school configuration from scratch
- \* Helped design and outdoor play area
- \* Designed remodeling projects for building
- \* Designed new outdoor signs
- \* Designed new traffic flow for pick-up and drop-off students
- \* Brought teachers from five different buildings together and created a team
- \* Used PowerSchool to schedule students and staff
- \* Cluster grouped all identified high ability students
- \* Hired Asst Principal and all new office staff
- \* Developed discipline policy and procedures
- \* Worked collaboratively with teachers on curriculum

August 2006-June 2010 **Marion Community School Corporation**, McCulloch Middle School  
Marion, Indiana Demographics: Urban School, 70% free/reduced, 500 students  
**Principal** – January 2007- present  
**Assistant Principal** – August 2006-December 2006

**Responsibilities included but are not limited to the following:**

- \* Navigated school out of probation into academic progress in one year

- \* Selected and assigned certified and non-certified school staff
- \* Prepared, supervised, and administered school budget
- \* In charge of curriculum development
- \* Developed and conducted professional development for teachers and administrators
- \* Analyzed data to determine program effectiveness
- \* Supervised and evaluated certified and non-certified school staff
- \* Collaboratively developed effective discipline policy and procedures
- \* Used PowerSchool to develop student and staff schedules
- \* Developed school-wide student incentive program
- \* In charge of textbook adoption
- \* In charge of corporation wide grade level meetings
- \* Worked to help develop and supervise summer school
- \* Worked with math and English teachers to create common assessments
- \* Collaboratively developed and piloted school uniform policy for the corporation
- \* Served on committee to implement school uniforms throughout corporation

August 2001- **Liberty-Perry School Corporation**, Selma Middle School, Selma, Indiana  
 July 2006 **Sixth Grade Social Studies, Math, Science, and Gifted/Talented Teacher**

- \* Continually developed and improved a standards driven curriculum
- \* Sixth Grade Team Leader
- \* Coordinator of Social Studies and Science Textbook Adoption
- \* Talent Show Coordinator
- \* Cheerleading Coach
- \* Academic Team Coach
- \* PL 221 committee member
- \* Provided in-house technology support for all computer software and hardware
- \* Used PowerSchool to record and store student grades

May 2002 - **Selma Middle School**, Selma , Indiana  
 July 2002 **Principal Internship**

- \* Developed and managed summer staff development program
- \* Developed new teacher orientation program
- \* Conducted new teacher training
- \* Trained new teachers on school technology

October 2000- **Cardinal Health Systems**, Muncie, Indiana  
 August 2001 **Technology Instructor**

- \* Developed curriculum for Microsoft Office Products
- \* Taught technology classes to hospital employees and physicians
- \* Coordinator of Physician's Computer Lab at Ball Memorial Hospital
- \* Provided customer support to computer users
- \* In charge of scheduling education classes for Cardinal Health Systems
- \* Instructor liaison for major projects

August 1998- **ERA-Eagle Real Estate**  
 October 2000 **Licensed Realtor**, Muncie, Indiana

- August 1992- **Director of Miriam's Basket Day Care Ministry**  
 May 1998 **First Baptist Church, Muncie, Indiana**
- \* Developed and implemented a day care program for children ages six weeks through five years
  - \* Developed curriculum for a pre-school environment
  - \* Administrator for tuition, fundraisers, and payroll
  - \* Budget Planning and Implementation
  - \* Interviewed, hired, supervised and evaluated 25 staff and volunteers
  - \* Maintained high standards for Board of Health
  - \* Supervised Student Teachers from Ball State University
  - \* Supervised Student Teachers from Ivy Tech Community College
- August 1990- **Muncie Community Schools, Muncie, Indiana**  
 August 1992 **First Teacher Adult Education Instructor**
- \* Developed curriculum for the First Teacher Program
  - \* Taught adults the skills they needed to pass GED
  - \* Planned activities that teach parents how to be the first teacher for their child
- GED/ABE Instructor for the Muncie Mission**
- \* Taught basic education and General Equivalency Exam preparation
- Substitute Teacher**

## **References**

Dr. Alice Mehaffey – Superintendent Alexandria Schools  
 765-744-0868

Dr. Jeff Hendrix – Superintendent Sunman–Dearborn Schools  
 812-623-2291

Ginger Studebaker – Asst. Superintendent Marion Community Schools  
 765-662-2546 Ext 104

Matt Dyer – Assistant Principal at Justice Intermediate School  
 765-664-0507

Kevin Biddle – Principal at Allen Elementary  
 765-664-7355

Sgt. Nate McBee – Marion Police Department  
 765-673-7068

Carrie Milliner—Teacher at Selma Middle

765-717-6366

**First Year Staffing**  
**January 2012-June 2012**

School Leader	
Business Services Manager	
Special Education Coordinator	
Administrative Support (1)	

## 22b. Staffing Projections

	Year One	Year Two	Year Three	Year Four	Year Five
Grades Served	K-8	K-8	K-8	K-8	K-8
Total Number Of Students	225	225	250	275	300
Student to Teacher Ratio	22:1	22:1	24:1	24:1	24:1
Teachers Needed	10	10	11	12	13
Assistant Teachers	1	1	2	2	3
Special Needs Teachers needed <i>(Based on 16% of population average in surrounding districts)</i>	2	2	2	3	3
Custodian	1	1	1	1	1
Secretary	1	1	1	1	1

Table 25 – Budget Worksheet A

Preoperational Year		
SCHOOL NAME: Evergreen Academy	DATES COVERED: January 1, 2012 – June 30, 2012	
INCOME		
Cash In -- Funding Source	Budget Amount	Description: Specific Source
State Grants (Please Describe)	\$ 150,000.00	IDOE Start up grant
Other Grants (Please Describe)		
Investment Earnings		
Donations/Gifts (Please Describe)		
Other (Please Describe)		
TOTAL CASH IN (INCOME)	150,000.00	
EXPENSES		
Expenditure	Budget Amount	Description: Assumptions
Legal	2,000.00	Completing foundation paperwork, creating contracts
Accounting and Consulting	6,500.00	Setting up foundation books, marketing consultant
Filing		
Fundraising		
Marketing: Including Printing and Postage	5,000.00	Producing marketing materials, radio advertisements
Rent: Office Space and Utilities	3,000.00	Deposits on Utilities
Supplies		
Equipment		
Labor	125,433.00	School Leader (6667./mo. x 5 mo. + 35% full benefits) = 45,000.00 Business Services manager (5000./mo. X 5 mo. + 35% full benefits)= 33,750 Special Education Supervisor (4583./mo. X 5 mo. + 35% full benefits) = 30,935. Admin. Support (2333./mo. X 5 mo. + 35% full benefits) = 15,748.
Other (Please Describe)		
TOTAL EXPENSES	141,933.00	
Budget Remaining	8,067	

**Table 25– Budget Worksheet B**



**Budget Schedule 18 C**  
**Projected Five Year Cash Flow**

	<b>School Name:</b>					
	<b>Pre-operational (From Schedule A)</b>	<b>First Fiscal Year (From Schedule B)</b>	<b>Second Fiscal Year</b>	<b>Third Fiscal Year:</b>	<b>Fourth Fiscal Year:</b>	<b>Fifth Fiscal Year:</b>
<b>Dates Covered</b>	Approval - June 30, 2012					
<b>Projected Enrollment</b>		225	225	250	275	300
<b>Minimum enrollment for financial viability</b>	<i>Please see attached Excel spreadsheet for comprehensive five year cash flow projections.</i>					
<b>CARRY OVER</b>						
<b>I. CASH IN (INCOME):</b>	150,000					
Donations/Gifts						
Food Service						
Investment Earnings						
Loan From Common School Loan						
Other Grants						
State Grants						
State Tuition Support						
Transportation						
Other (Please Describe)						
<b>TOTAL CASH IN (INCOME):</b>	150,000					

	Pre-operational (From Schedule A)	First Fiscal Year (From Schedule B)	Second Fiscal Year	Third Fiscal Year:	Fourth Fiscal Year:	Fifth Fiscal Year:
<b>II. EXPENDITURES:</b>						
<i>A. Employee Salaries</i>						
Director/Principal	45,000					
Community & Parent Involvement Coord						
Special Education Coordinator	30,935					
Other Administration - Business Manager	33,750					
Classroom Assistants						
Clerical						
Consultants						
Librarians						
Overtime Expense						
Social Workers						
Substitute Teachers						
Teachers						
Technicians						
Temporary Salaries						
Other Human Resource Expense						
<b>Total Employee Salaries &amp; Benefits</b>	<b>125,433.</b>					
<i>B. Employee Benefits</i> *included in salaries above						
Group Dental Insurance						
Group Health Insurance						
Group Life Insurance						
Long-Term Disability Insurance						
Public Employee Retirement						
Social Security & Medicare						
Teacher Retirement						
Unemployment Compensation						
Workers Compensation						
Other Employee Benefits						
<b>Total Employee Benefits</b>						

	Pre-operational (From Schedule A)	First Fiscal Year (From Schedule B)	Second Fiscal Year	Third Fiscal Year:	Fourth Fiscal Year:	Fifth Fiscal Year:
<i>C. Rental of Facilities &amp; Utilities</i>						
Electricity						
Gas, Oil, or Steam Heat						
Grass and Tree Services						
Internet Access						
Mortgage						
Rent						
Repair & Maintenance Services						
Telephone Long Distance						
Trash Removal						
Utilities	3000					
Water & Sewer						
<b>Total Rent and Utilities</b>						
<i>D. Insurance</i>						
Board Errors and Omissions						
General Liability Insurance						
Health Insurance						
Property & Casualty Insurance						
Property & Inland Marine						
Theft Insurance						
Treasurer Bonds						
Umbrella/excess Liability						
Vehicle Insurance						
Worker's Compensation Insurance						
<b>Total Insurance</b>						
<i>E. Service Contracts</i>						
Accounting & Payroll Services	4000					
Consulting Services	2500					
Data Processing Services						
Equipment Rental & Lease						
Food Service Contract						
Legal Services	2000					
Professional & Technical Services						
Pupil Transportation Contract						
Security Services						
Staff Development						
Other Service Contracts						
<b>Total Service Contracts</b>						

	Pre-operational (From Schedule A)	First Fiscal Year (From Schedule B)	Second Fiscal Year	Third Fiscal Year:	Fourth Fiscal Year:	Fifth Fiscal Year:
<i>F. Supplies &amp; Materials</i>						
Advertising	5000					
Computer Software						
Custodial Supplies						
Instructional Supplies						
Library Books						
Office Supplies & Expense						
Postage						
Printing						
Subscriptions						
Testing & Evaluation Supplies						
Textbooks						
Other Supplies & Materials						
<b>Total Supplies &amp; Materials</b>	5000					
<i>G. Capital Outlay</i>						
Computer Hardware						
Computer Software						
Office Furniture & Equipment						
Instructional Furniture & Equipment						
Vehicles						
Land Purchases						
Improvements \$ Alterations						
Other Capital Outlay						
<b>Total Capital Outlay</b>						
<i>H. Other Expenditures</i>						
Audit Expense						
Dues & Fees						
Judgments						
Debt Services						
Travel Expense/Mileage						
Reimbursement						
Field Trips						
Payment to an EMO						
BSU Administrative Fee						
<b>Total Other Expenditures</b>						
<b>TOTAL EXPENDITURES</b>	141,933.00					
<b>REMAINING CASH BALANCE (DEFICIT)</b>	<b>8067.00</b>					



## Facilities

A. School district in which the school will locate: Alexandria Community School Corporations

B. Geographic preference within the district: rural area two miles east of Alexandria

C. Address (if a site has been secured): 10926 North 200 East, Alexandria, IN 46001

D. Does the school plan a stand-alone facility or will the school co-locate with another organization? A stand-alone facility.

Space (Use blanks for additional needs)	Year One		Year Two		Year Three	
	Number	Average	Number	Average	Number	Average
		Size(sf)		Size		Size
Classrooms	10	1000	10	1000	12	1000
Offices	4	250	4	250	4	250
Meeting/Counseling	1	250	1	250	1	250
*Gym/Physical Fitness	1	4000	1	4000	1	4000
Kitchen	1	1750	1	1750	1	1750
*Dining						
*Performance/Auditorium						
Library	1	1000	1	1000	1	1000
Media	1	1000	1	1000	1	1000
Hallways	1	3000	1	3000	1	3000
Locker Space						
Restrooms	8	250	8	250	8	250

The spaces below are often shared in one way or another. Please note if the school plans to use such shared space; i.e. cafeteria and auditorium as a single space.

	Year One	Year Two	Year Three
Total Estimate Square Foot Requirements	20,000	20,000	26,962
Percent of budget dedicated to Facility Rental, Mortgage, and Construction/Renovation	18%	7%	7%
Number of Dollars per child dedicated to Facility Rental, Mortgage, and Construction/Renovation	\$775	\$524	\$530
Anticipated Annual Utility Budget	74,000	74,000	74,000

**Note:** If the facility will be leased from a religious organization, you must read and comply with the Ball State University, Office of Charter School's **POLICY REGARDING AN ORGANIZER LEASING SPACE FROM A RELIGIOUS ORGANIZATION.**

## Policy Regarding Organizer Governance

Pursuant to I.C. 20-24-1-7 and Ball States' policy regarding organizer governance:

The Alexandria Charter School Board, organizing body of the Evergreen Academy's application to Ball State University for a Charter School contract, is a properly incorporated Non-profit in the State of Indiana. The Academy will file for official IRS status as a 501(c)(3) once the Charter is officially approved.

Pursuant to I.C. 20-24-1-7(1) and Ball States' policy regarding organizer governance:

The organization's by-laws are submitted in Attachment 34.



# The Evergreen Academy

....nourishing roots, fostering growth

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## ***BY-LAWS***

## ***OF***

## ***Alexandria Charter School Foundation, Inc.***

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Dated as of July \_\_, 2012

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**By-Laws**  
**OF**  
**Alexandria Charter School Foundation, Inc.**

**ARTICLE I**

**Identification**

**Section 1.01. Name.** The name of the Corporation shall be Alexandria Charter School Foundation, Inc.

**Section 1.02. Principal Office and Resident Agent.** The Corporation shall have and continuously maintain a registered office, known as the "principal office," in the State of Indiana. The Corporation may have offices at such other places within or without the State of Indiana as the Board of Directors may from time to time determine. The Corporation shall also have and continuously maintain a registered agent in the State of Indiana.

**ARTICLE II**

**Purposes**

**Section 2.01. Purposes.** The Corporation is organized for the following purposes:

- (a) To engage in all charitable, scientific, literary or educational purposes in which an organization may engage as an organization qualifying as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code");
- (b) To promote and advance the purposes set forth in (a) above by any activity in which a nonprofit corporation organized under the Indiana Nonprofit Corporation Act of 1991 (the "Act") may engage;
- (c) To solicit, receive, manage and disburse the funds necessary to carry out the purposes set forth in (a) and (b) above; and
- (d) To possess and exercise all the powers and privileges granted by the Act and to perform all other acts necessary or incidental to the conduct, promotion or attainment of the above-stated purposes, which are authorized and permitted under the Act.

Section 2.02. Limitations. Notwithstanding any other provisions of these By-Laws:

(a) The Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Code;

(b) No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to any director, officer, or other private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes), and no director, officer or other private individual shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the Corporation or otherwise (except that monies loaned or advanced to the Corporation by a director or officer in furtherance of one or more of its purposes may be repaid without interest);

(c) The Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office;

(d) No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation;

(e) No solicitation of contributions to the Corporation shall be made and no gifts, bequests or devises to the Corporation shall be accepted upon any condition or limitation which, in the opinion of the Corporation, may jeopardize the exempt status of the Corporation under federal or other tax laws;

(f) During any taxable period in which an election by the Corporation under Code Section 501(h) is in effect, the Corporation shall not pay or incur lobbying expenditures beyond those permitted without liability pursuant to Code Section 4911.

Any reference herein to any provision of the Code shall be deemed to mean such provisions as are now or hereafter existing, amended, supplemented, or superseded, as the case may be.

### ARTICLE III

#### Membership

The Corporation shall have five (5) to nine (9) members.

## ARTICLE IV

### Board of Directors

Section 4.01. General Powers. The affairs of the Corporation shall be managed by its Board of Directors.

Section 4.02. Number, Qualifications, Election and Term of Office. The Board of Directors shall consist of five (5) to nine (9) members, or such other number as the Board of Directors may from time to time determine by resolution, but in no event shall such number be fewer than five (5). Subject to the provisions of the Articles of Incorporation, the number of directors may be increased or decreased from time to time by resolution of the Board of Directors of the Corporation; provided that no decrease shall have the effect of removing any director prior to expiration of that director's term of office. Thereafter, such number of Directors shall be elected each year at the annual meeting by a majority of the representatives of the Directors then in office and each Director so elected shall continue in office until a successor shall have been elected and qualified. A majority of the Directors elected at each annual meeting shall, at such annual meeting or at a special meeting called for that purpose, elect a President from among their number who shall have such duties and powers as shall be enumerated in these By-Laws.

Section 4.03. Vacancies. Any vacancy on the Board of Directors caused by the death, disqualification or resignation of one of the elected members of the Board of Directors may be filled by majority vote of the remaining members of the Board of Directors. Any Director thus selected shall hold office until the next annual meeting of the Directors of the Corporation and until his successor is elected and qualified. When a Director is removed or when the number of Directors is increased by an amendment to these By-Laws, the vacancy or vacancies thus created shall be filled by the vote of the representatives of the Directors of the Corporation. Any Director thus elected shall hold office until the next annual meeting of the Directors of the Corporation and until his successor is elected and qualified. The number of ex officio members of the Board of Directors shall at all times depend upon the number of individuals serving in the offices or positions to which such ex officio membership is an incident. Accordingly, the elimination of an office or position to which such ex officio membership is an incident, or a vacancy in any such office or position, or the death, disqualification or resignation of an incumbent of any such office or position, shall not be deemed to create a vacancy on the Board of Directors.

Section 4.04. Resignation and Removal of Directors. Any Director may resign at any time. A resignation shall be made in writing to the Board of Directors and shall take effect at the time specified therein or, if no time is specified, at the time of its receipt by the Board. The acceptance of a resignation shall not be necessary to make it effective. Any Director may be removed from office with cause by a vote of a majority of all the Directors, or without cause by a vote of two-thirds of all the Directors, at any meeting of the Directors called expressly for that purpose.

Section 4.05. Annual Meetings. The annual meeting of the Board of Directors shall be held each year within one hundred eighty (180) days after the end of the Corporation's fiscal year on the exact date and at a time as shall be determined by the Board of Directors, for the purpose of electing Directors and for the transaction of such other business as may come before the meeting. The annual meeting shall be held at such place within or without the State of Indiana as may be determined by the Board of Directors.

Section 4.06. Regular Meetings. Meetings of the Board of Directors may be held pursuant to a resolution of the Board of Directors to such effect. No notice shall be necessary for any regular meeting.

Section 4.07. Special Meetings. Special meetings of the Board of Directors may be held upon call of the President or of a majority of the members of the Board. A written notice stating the time, place and general purpose of any special meeting shall be delivered or mailed to each Director by the Secretary of the Corporation, or by the officer or persons calling the meeting, at least forty-eight (48) hours before the time of such meeting if the notice is delivered, or at least five (5) mail delivery days before the date of such meeting if the notice is mailed. Notice of any special meeting may be waived in writing. Attendance at any special meeting shall constitute a waiver of notice thereof unless such attendance is for the purpose of objecting to the transaction of any business on grounds that the meeting was not lawfully called or convened.

Section 4.08. Quorum. The presence of a majority of the Directors then in office shall be necessary to constitute a quorum for the transaction of any business, and the act of the majority of the Directors present and voting at any meeting at which a quorum is present shall be the act of the Board of Directors unless the act of a greater number is required by law, by the Articles of Incorporation, or by these By-Laws. For the purpose of filling vacancies on the Board of Directors as provided above, a majority of the Directors then in office shall constitute a quorum, and a majority vote of this quorum shall be required to elect a new Director or Directors. A Director shall be deemed to be present at a meeting for the purpose of constituting a quorum and transacting business thereat if, at the time of such meeting, he shall participate by telephone in the transaction of the business thereof and if such Director shall subsequently approve and sign the minutes of such meeting.

Section 4.09. Action Without Meeting. Any action which may be taken at a meeting of the Board of Directors may be taken without a meeting if, prior to such action, written consents setting forth the action to be so taken shall be signed by all members of the Board of Directors and such written consents shall be filed with the minutes of the proceedings of the Corporation.

Section 4.10. Executive Committees. The Board of Directors, by resolution adopted by a majority of all the Directors, may appoint one or more executive committees from amongst its members. Such committee or committees shall consist of

no fewer than three (3) members of the Board. Each such committee, to the extent provided in said resolution, shall have and exercise all the authority of the Board of Directors in the management of the Corporation. All actions by an executive committee shall be reported to the Board of Directors at the next meeting thereof and shall be subject to rescission or modification by the Board of Directors unless the rights of third persons would be prejudicially affected by such rescission or modification. Any member of an executive committee may be removed, with or without cause, and replaced by another Director or Directors, by resolution adopted by a majority of the whole Board of Directors.

Section 4.11. Compensation. No Director or officer of the Corporation shall receive, directly or indirectly, any salary, compensation or emolument therefrom in his capacity either as an officer or as a Director, provided, however, that nothing in these By-Laws shall prevent any Director or officer from receiving any reasonable direct or indirect salary, compensation or emolument for bona fide services rendered as an employee of or contractor with the Corporation.

## ARTICLE V

### Officers

Section 5.01. Number and Qualifications. The officers of the Corporation shall consist of a President, a Secretary, a Treasurer, and such other officers, if any, including one or more Vice-Presidents, one or more Assistant Secretaries, and one or more Assistant Treasurers, as the Board of Directors may from time to time appoint. Any two or more offices may be held by the same person, except for the offices of President and Secretary.

Section 5.02. Election and Term of Office. The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting immediately following the election of the Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as may be convenient at any special meeting of the Board of Directors. Any vacancies may be filled or new offices created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected and qualified.

Section 5.03. Removal. Any officer of the Corporation may be removed by a vote of the majority of the Board of Directors then in office at any general or special meeting.

Section 5.04. President. The President shall have charge of, and supervision and authority over, the daily operations of the Corporation. He shall have the general supervision and direction of all employees and agents of the Corporation. He shall preside at meetings of the Board of Directors and shall possess all of the powers and perform all of the duties as are incident to his office or as may be defined in the By-Laws

or delegated to him from time to time by the Board of Directors. The President may sign, with the Secretary or any other proper officer of the Corporation authorized by the Board of Directors, in the name of the Corporation, all contracts and documents authorized either generally or specifically by the Board of Directors. He shall preside at all meetings of the Board of Directors of the Corporation.

Section 5.05. Vice Presidents. The Vice Presidents, if any, shall assist the President in the performance of his duties and shall perform such duties as may be assigned to them by the Board of Directors or the President. In the absence, disability or refusal of the President, the Vice President (or, if there be more than one, the Vice President in order of succession determined from time to time by the Board of Directors) shall exercise the powers and perform the duties of the President. Any action taken by a Vice President in the performance of the duties of the President shall be conclusive evidence of the absence, disability or refusal to act of the President at the time such action was taken.

Section 5.06. Secretary. The Secretary shall act as Secretary of all meetings of the Board of Directors, and shall keep the minutes of all such meetings in books proper for that purpose. He shall attend to the giving and serving of all notices of the Corporation. He shall be custodian of the corporate records and of the seal, if any, of the Corporation, and shall see that should the Corporation elect to adopt a seal, such seal of the Corporation is affixed to all documents the execution of which on behalf of the Corporation under its seal is duly authorized in accordance with the provisions of these By-Laws. He shall perform all other duties customarily incident to the office of Secretary, subject to control of the Board of Directors, and shall perform such additional duties as shall from time to time be assigned to him by the Board of Directors.

Section 5.07. Treasurer. The Treasurer shall have custody of all funds of the Corporation which may come into his hands. He shall keep or cause to be kept full and accurate accounts of receipts and disbursements of the Corporation, and shall deposit all monies and other valuable effects of the Corporation in the name and to the credit of the Corporation in such banks or depositories as the Board of Directors may designate. Whenever required by the Board of Directors, the Treasurer shall render a statement of his accounts. He shall at all reasonable times exhibit his books and accounts to any officer or Director of the Corporation and shall perform all duties customarily incident to the position of Treasurer, subject to the control of the Board of Directors, and shall, when required, give security for the faithful performance of his duties as the Board of Directors may determine.

Section 5.08. Assistant Secretaries and Assistant Treasurers. The Assistant Secretaries and Assistant Treasurers, if any, shall perform such duties as shall be assigned to them by the Secretary or Treasurer, respectively, or by the President or Board of Directors, including any of the duties customarily performed by the secretary or treasurer of a corporation.



Section 5.09. Executive Director. The Board of Directors may appoint an Executive Director to handle and carry out the day-to-day operations of the Corporation customarily handled and carried out by the President, subject to the control and supervision of the Board of Directors. He shall have all the powers of and shall be subject to all the restrictions upon the President. The Executive Director shall perform such other duties as may from time to time be assigned to him by the President or the Board of Directors.

## ARTICLE VI

### Committees

Section 6.01. Executive Committee. The Executive Committee shall be comprised of the President, the Vice President or Presidents, Treasurer, and Secretary. The Executive Committee shall have charge of the general interests of the Corporation, and be vested with the power (i) to control and manage the affairs, funds and finances of the Corporation; (ii) to call regular and special meetings of the Directors of the Corporation; (iii) make nominations for election to the Executive Committee; (iv) to fill vacancies of the Board of Directors caused by death, resignation, or failure to elect such appointees to hold office until the next annual election; and (v) to do all lawful things which they may deem necessary or expedient to promote the business and interests of the Corporation.

Section 6.02. Committees of Directors. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon it or him by law.

Section 6.03. Other Committees. Other committees not having exercised the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be appointed by the President of the Corporation. Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

Section 6.04. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the Board of Directors and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

Section 6.05. Committee Chairman. The person or persons authorized to appoint committee members shall appoint one member of each committee as committee chairman thereof.

Section 6.06. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 6.07. Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

Section 6.08. Rules. Each committee may adopt rules for its own governance, so long as such rules are not inconsistent with these By-Laws or with rules adopted by the Board of Directors.

## ARTICLE VII

### Contracts, Checks, Deposits and Funds

Section 7.01. Contracts. The Board of Directors may authorize any officer or officers, agents of the Corporation, in addition to the officers so authorized by these By-Laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 7.02. Checks, Drafts, and the Like. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, or agent or agents, of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors, such instruments shall be signed by the Treasurer or an Assistant Treasurer and countersigned by the President of the Board of Directors or the Executive Director of the Corporation.

Section 7.03. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

Section 7.04. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

## ARTICLE VIII

### Office and Books

Section 8.01. Office. The office of the Corporation shall be located at such place as the Board of Directors may from time to time determine.

Section 8.02. Books. There shall be kept at the office of the Corporation correct books of account of the activities and transactions of the Corporation, including a minute book which shall contain a copy of the Articles of Incorporation, a copy of these By-Laws, and all minutes of the Board of Directors.

## ARTICLE IX

### Miscellaneous

Section 9.01. Gender and Number. Wherever used or appearing in these By-Laws, pronouns of the masculine gender shall include the female as well as the neuter gender, and the singular shall include the plural wherever appropriate.

Section 9.02. Headings. The headings of the Articles and Sections of these By-Laws are inserted for convenience of reference only and shall not be deemed to be a part thereof or used in the construction or interpretation thereof.

Section 9.03. Seal. The Corporation need not use a seal but may use a seal if desired in the sole discretion of the Board of Directors. If a seal is used, it shall be circular in form and mounted upon a metal die suitable for impressing the same upon paper. The seal may be altered by the Board of Directors at its pleasure and may be used by causing it or a facsimile thereof to be impressed, affixed, printed or otherwise reproduced.

Section 9.04. Fiscal Year. The fiscal year of the Corporation shall begin at the beginning of the first day of July in each year and shall end at the close of the last day of June next succeeding.

Section 9.05. Amendments. These By-Laws may, from time to time, be added to, changed, altered, amended or repealed or new By-Laws may be made or adopted by a majority vote of the whole Board of Directors at any meeting of the Board of Directors, if the notice or waiver of notice of such meeting shall have stated that the By-Laws are to be amended, altered or repealed at such meeting, or if all directors at the time are present at such meeting, have waived notice of such meeting, or have consented to such action in writing. All amendments must then be approved by the Ball State Charter School office. A By-Law adopted or amended by the Board of Directors that changes the quorum or voting requirement for action by the Board of Directors must meet the same quorum

requirement and be adopted by the same vote required to take action under the quorum and voting requirement then in effect or proposed to be adopted, whichever is greater.

Section 9.06. Governing Law. The provisions of the Indiana Nonprofit Corporation Act of 1991 (the “Act”), applicable to any of the matters not herein specifically covered by these By-Laws, are hereby incorporated by reference in, and made a part of, these By-Laws.

Section 9.07. Severability. Any provisions of these By-Laws, or any amendment or alteration hereof, which is determined to be in violation of the Indiana Nonprofit Corporation Act shall not in any way render any of the remaining provisions invalid.

## ARTICLE X

### Indemnification

The Corporation shall, to the fullest extent now or hereafter permitted by law, consistent with the Articles of Incorporation of the Corporation, indemnify any person made, or threatened to be made, a party to any action or proceeding by reason of the fact that he, or his testator or intestate was an associate, Director, officer or other agent of the Corporation, or of any other organization served by him in any capacity at the request of the Corporation, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys' fees.

## ARTICLE XI

### Dissolution

In the event of dissolution, the Corporation shall, after payment of all liabilities, distribute any remaining assets to an organization or organizations which, at the time, are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”).

## ARTICLE XI

### Investments

The property, assets and funds of the Corporation may, in furtherance of the purposes of the Corporation, be invested in such shares of stock, whether common or preferred, bonds, notes, mortgages or other securities or other personal property or real estate as the Board of Directors may from time to time authorize and approve; provided, however, that no investment shall be made in such a manner as to subject the Corporation

to tax under Section 4944 of the Code, or under the corresponding provision of any future United States revenue law.

# **Evergreen Academy Admission Policy and Criteria**

## **Admission Policy**

The Evergreen Academy Charter School understands the importance of establishing fair and equitable criteria for student admission and shall fully comply with the Indiana Charter School Law regarding admission policies and procedures.

## **Enrollment for the First Year**

Admission to Evergreen Academy will be based on the dates of postmarked applications, or date stamped applications as they are submitted to the office of the Evergreen Academy. If applications in the first year exceed the number of authorized spaces, a lottery system of selecting students will take place, and every application received by the specified deadline (deadline established by the Board) will be included in the public lottery.

## **Re-Enrolling Existing Students**

Students currently attending Evergreen Academy will have the opportunity to re-enroll for the next school year by accurately completing and returning the required Student Re-Enrollment Form by the deadline provided. Students whose parents who fail to return an accurate Student Re-Enrollment Form by the posted deadline will not be guaranteed enrollment for the upcoming school year and will be required to participate in the pre-enrollment process with new students seeking admission to the school.

## **Waiting Lists**

At the conclusion of the Spring enrollment process and after all available enrollment slots (seats) are filled, wait lists will be created and maintained for each grade. The initial wait list will be created randomly as part of the public lottery. Following the lottery, additional students will be added to the wait lists on a first come/first served basis. When a slot becomes available in a grade, the parents of the first student on the wait list will be contacted and given three calendar days to accept the position. Acceptance is determined by the parent completing and hand delivering an accurate Pre-Enrollment Form to the school office within three business days of being notified by the school. If the enrollment slot is declined, if no response is received or an accurate Pre-Enrollment Form is not hand delivered to the school office within three business days of being notified, the enrollment slot will be forfeited and the next student on the wait list will be contacted. Once all vacant enrollment slots for each particular grade and section are filled, enrollment will be closed.

## **Enrollment of New Students**

Parents of new students interesting in enrolling at Evergreen Academy will be given the opportunity to participate in an annual Pre-Enrollment Process. The date pre-enrollment begins and ends will be determined by the Board each year and will be posted in the school office as well as on the school's web site. Parents of students interested in enrolling in the school must complete and return an accurate Pre-Enrollment Form by the deadline provided by the school.

## **Enrollment Preference**

Any child who is qualified under applicable state law is qualified for admission to the Evergreen Academy. The Evergreen Academy is an equal opportunity educational institution. As permitted by the Indiana Charter School Laws, the Evergreen Academy will give preference in enrollment to the following categories of students, in the following order:

1. Returning students (re-enrollment of existing students by posted deadline);
2. Siblings of currently enrolled student;
3. Students residing in the school district in which the charter is located (Alexandria)
4. Students residing outside the school district in which the charter school is located.

## **Public Lottery**

In the event the number of applicants for any given grade or section exceeds the number of enrollment slots (seats) available, the school will accept students by a random selection process. The school will grant enrollment preference according to the aforementioned criteria. A public lottery will be held, as necessary, to determine enrollment. The date, time and location of the public lottery will be posted at the school, on the school's web site, and in a newspaper of general circulation at least one week prior to the lottery being held. A neutral party will conduct the lottery on behalf of the school. The school will notify applicant parents within 30 days of the lottery with the outcome as to whether their child has been accepted or has been placed on a wait list.

## Evergreen Academy Discipline Policy

Students have a right to attend schools that are safe and free from unnecessary disruption. Proper student conduct, reinforced by an effective discipline program, is essential to create and maintain a positive school climate. This is the joint responsibility of students, staff, parents, and the community. Students should receive effective and engaging instruction based on differentiated curriculum, with an assessment system designed to address the needs of diverse learners. The Board and the Evergreen Academy school administration will make every effort to teach the skills of discipline, good conduct, responsibility and tolerance for all as an integrated theme throughout all learning and social environments. By creating a school environment where high expectations for behavior are clear, punishment is relevant, corrective and meaningful, and parents are part of the system of behavior remediation, the Evergreen Academy can focus on the business of education.

The Evergreen Academy's system of discipline is built on personal accountability, which is understood to mean:

1. Recognizing that misbehavior damages relationships between the person or persons who misbehaved, the person harmed by the behavior, and the community as a whole;
2. Having an opportunity to repair harm done and restore relationships whenever possible, as opposed to excluding the person who misbehaved;
3. Building personal responsibility by helping individuals develop empathy, self-control, and motivation.

Students, teachers, parents and school administration all must have responsibility for ensuring the school operates under conditions that make Evergreen a place for learning. The Evergreen Academy will adopt a discipline plan that is consistent with the *Culture of Discipline: Guiding Principles for the School Community*, and *Culture of Discipline: Student Expectations*. The basis of the school plan will ensure that Evergreen will focus on: Teaching school rules, reinforcing appropriate behavior, using effective classroom management and positive behavioral support strategies by providing early intervention for misconduct, and appropriate use of consequences.

### RESPONSIBILITIES OF STUDENTS

Students have the responsibility to:

1. Respect the rights of all persons involved in the educational process.
2. Respect the authority of school staff.
3. Respect the diversity of staff and students in the Evergreen Academy with regard to race, color, ethnicity, national origin, religion, sex, marriage, pregnancy,



parenthood, sexual orientation, primary language, handicap, special needs, age, and economic class.

4. Contribute to the maintenance of a safe and positive educational environment.
5. Apply their abilities and interests to the improvement of their education.
6. Exercise the highest degree of self-discipline in observing and adhering to rules and regulations.
7. Recognize that responsibility is inherent in the exercise of every right.
8. Assure that they exercise their voice in student government.

## RESPONSIBILITIES OF ADMINISTRATION

Administrators have the responsibility to:

1. Protect the mental and physical well-being of all students and staff.
2. Protect the legal rights of teachers, students, and parents.
3. Develop and implement a school-wide positive behavior support and discipline plan, consistent with the *Culture of Discipline: Guiding Principles for the School Community*.
4. Ensure that all staff participates in ongoing professional development in Positive Behavior Support, and that staff can clearly identify and support behavioral expectations in classrooms and common areas of the school.
5. Contact and involve parents in dealing with disciplinary matters.
6. Inform the community, students, parents/guardians, and school staff about policies relating to pupil conduct in schools, at school-sponsored activities, and on school-provided transportation.
7. Work collaboratively with school teachers, support staff and parents to define consequences for student misconduct that is fair, consistent, meaningful, and age appropriate.
8. Collaborate with community and government agencies on programs that promote safety and civility.
9. Consistently maintain a humanistic approach with all students.

## RESPONSIBILITIES OF TEACHERS

Teachers have the responsibility to:

1. Maintain a good learning atmosphere.
2. Acknowledge and reinforce appropriate student behavior
3. Exhibit qualities of competency, creativity, and self-control.
4. Respect each student as a person.
5. Follow the behavior support plan for students with disabilities, available to all staff working with that student.
6. Utilize Response to Intervention data in collaboration with administration and support staff to monitor student misconduct.

7. Report ongoing behaviors to administrators and parents to create a meaningful remediation/discipline plan for the student.
8. Work with families in partnership to reinforce the plan.
9. Use the Teaching Tolerance curriculum monthly in concert with the school.
10. Be conscious of professional ethics in relationships with students, fellow teachers, and administrators.

#### RESPONSIBILITIES OF PARENTS

Parents have the responsibility to:

1. Share the responsibility for the behavior of their child in school, at school-sponsored activities, and on the way to and from school.
2. Prepare the child to assume responsibility for attending school, and for his or her own behavior.
3. Foster in the child positive attitudes toward himself or herself, others, school, and the community.
4. Communicate with school personnel about the child.
5. Attend individual or group conferences.
6. Recognize that the school staff has the right to enforce the policies, rules, and regulations of the Evergreen Academy.
7. Behave in a civil and non-disruptive manner when visiting the school.
8. Assure that their child brings to school only those things that are appropriate in a school setting.

#### RESPONSIBILITIES OF THE COMMUNITY AND SCHOOL SUPPORT AGENCIES

The community has the responsibility to:

1. Help shape school goals.
2. Be informed about school goals and policies.
3. Support an effective school system.

Agencies charged with providing support to students and their families have the responsibility to:

1. Address the needs of their clients that interfere with the learning process.
2. Collaborate with schools to deliver effective support services.

#### The Disciplinary Process

The Evergreen Academy is a safe place where teachers have the right to teach in an environment free from the distraction of discipline problems. Students have the

right to attend a school that is free from the behaviors of others that prevent the peaceful acquisition of knowledge.

Conduct of students on school property, including before and after school hours, is of the utmost concern to our administration. The same rules of good conduct will apply to any school related event or sponsored trip away from the school grounds, and disciplinary action can and will apply in any and all school related environments.

1. Most behavior problems will first be dealt with in the classroom. It is believed that keeping students busily learning will limit the opportunity for students to engage in disruptive behaviors.
2. Should a student's behavior become a chronic disruption to the class, the student will be removed and will spend time in the office with the principal until the student is ready and willing to return to class to participate in the learning process.
3. Repeated infractions and disturbances will require the student to spend three of five days each week during the fifth block (reserved for enrichment classes), in the behavioral support room working with the principal, the Community and Family Involvement Coordinator, and or special education coordinator. Parent intervention will be solicited and a behavior plan created to be followed for the next six weeks.
4. Any student participating in bullying that includes verbal abuse, written insults against any student or faculty member or other staff member or volunteer in the school will be suspended for a period of three to ten days, and this will be at the discretion of the school leader. **Bullying includes the use of texting, blogging, email, facebook or other social media to belittle, threaten, or otherwise spread malicious statements or opinions about another person.** The student discovered to be bullying other students or staff will be referred to counseling outside of school, and the parent must either attend or document that the student has received and will continue to receive appropriate counseling before returning to school.
5. Any student possessing weapons, drugs, alcohol, explosive devices, or other deadly weapons is strictly prohibited. Local law enforcement will be called to the school and any and all charges against the student will be fully pursued. The student will be officially expelled from the Evergreen Academy. No exceptions!

The Evergreen Academy will follow all procedures according to the Indiana Revised Code regarding suspensions. Codes have been directly copied from the website: <http://www.in.gov/legislative/ic/code/title20/ar33/ch8.html>

Those codes are as follows:

An expulsion may take place only after the student and the student's parent are given notice of their right to appear at an expulsion meeting with the superintendent or a person designated under subsection (a). Notice of the right to appear at an expulsion meeting must:

- (1) be made by certified mail or by personal delivery;
  - (2) contain the reasons for the expulsion; and
  - (3) contain the procedure for requesting an expulsion meeting.
- (c) The individual conducting an expulsion meeting:

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- (1) shall make a written summary of the evidence heard at the expulsion meeting;
  - (2) may take action that the individual finds appropriate; and
  - (3) must give notice of the action taken under subdivision (2) to the student and the student's parent.
- (d) If the student or the student's parent not later than ten (10) days of receipt of a notice of action taken under subsection (c) makes a written appeal to the governing body, the governing body:

- (1) shall hold a meeting to consider:
  - (A) the written summary of evidence prepared under subsection (c)(1); and
  - (B) the arguments of the principal and the student or the student's parent;unless the governing body has voted under subsection (f) not to hear appeals of actions taken under subsection (c); and
- (2) may take action that the governing body finds appropriate.

The decision of the governing body may be appealed only under section 21 of this chapter.

(e) A student or a student's parent who fails to request and appear at an expulsion meeting after receipt of notice of the right to appear at an expulsion meeting forfeits all rights administratively to contest and appeal the expulsion. For purposes of this section, notice of the right to appear at an expulsion meeting or notice of the action taken at an expulsion meeting is effectively given at the time when the request or notice is delivered personally or sent by certified mail to a student and the student's parent.

(f) The governing body may vote to not hear appeals of actions taken under subsection (c). If the governing body votes to not hear appeals, subsequent to the date on which the vote is taken, a student or parent may appeal only under section 21 of this chapter.

*As added by P.L.1-2005, SEC.17.*

## **IC 20-33-8-20**

### **Maximum term of expulsion; reenrollment in alternative program after expulsion or exclusion; reinstatement review**

Sec. 20. (a) Except as provided in section 16 of this chapter, a student may not be expelled for a longer period than the remainder of the school year in which the expulsion took effect if the misconduct occurs during the first semester. If a student is expelled during the second semester, the expulsion remains in effect for summer school and may remain in effect for the first semester of the following school year, unless otherwise

modified or terminated by order of the governing body. The appropriate authorities may require that a student who is at least sixteen (16) years of age and who wishes to reenroll after an expulsion or an exclusion attend an alternative program.

(b) An expulsion that takes effect more than three (3) weeks before the beginning of the second semester of a school year must be reviewed before the beginning of the second semester. The review:

(1) shall be conducted by the superintendent or an individual

designated under section 19(a) of this chapter after notice of the review has been given to the student and the student's parent;

(2) is limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original meeting; and

(3) may lead to a recommendation by the person conducting the review that the student be reinstated for the second semester.

(c) An expulsion that will remain in effect during the first semester of the following school year must be reviewed before the beginning of the school year. The review:

(1) shall be conducted by the superintendent or an individual designated under section 19(a) of this chapter after notice of the review has been given to the student and the student's parent;

(2) is limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original meeting; and

(3) may lead to a recommendation by the individual conducting the review that the student be reinstated for the upcoming school year.

*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-8-21**

#### **Scope of judicial review**

Sec. 21. Judicial review of a governing body's action under this chapter by the circuit or superior court of the county in which a student who is the subject of the governing body's action resides is limited to the issue of whether the governing body acted without following the procedure required under this chapter.

*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-8-22**

#### **Effectiveness of statute during judicial review**

Sec. 22. An expulsion that has been upheld by a governing body continues in effect during judicial review under section 21 of this chapter unless:

(1) the court grants a temporary restraining order under the Indiana Rules of Civil Procedure; and

(2) the school corporation was given the opportunity to appear at the hearing regarding the temporary restraining order.

*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-8-23**

#### **Suspension pending expulsion decision**

Sec. 23. The superintendent or the person designated by the superintendent under section

19(a) of this chapter may continue suspension of a student for more than the ten (10) school day period of the principal's suspension and until the time of the expulsion decision under section 19 of this chapter if the superintendent or the designated person determines that the student's continued suspension will prevent or substantially reduce the risk of:

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- (1) interference with an educational function or school purposes; or
  - (2) a physical injury to the student, other students, school employees, or visitors to the school.

However, a student may not be suspended from school pending a meeting on a student's proposed expulsion if the expulsion is ordered under section 17 of this chapter.

*As added by P.L.1-2005, SEC.17.*

#### **IC 20-33-8-24**

##### **Requirements for reenrollment after expulsion**

Sec. 24. (a) This section applies to a student who:

- (1) is at least sixteen (16) years of age; and
- (2) wishes to reenroll after an expulsion.
- (b) A principal may require a student to attend one (1) or more of the following:
  - (1) An alternative school or alternative educational program.
  - (2) Evening classes.
  - (3) Classes established for students who are at least sixteen (16) years of age.

*As added by P.L.1-2005, SEC.17.*

#### **IC 20-33-8-25**

##### **Additional disciplinary actions authorized**

Sec. 25. (a) This section applies to an individual who:

- (1) is a member of the administrative staff, a teacher, or other school staff member; and
- (2) has students under the individual's charge.
- (b) An individual may take disciplinary action instead of or in addition to suspension and expulsion that is necessary to ensure a safe, orderly, and effective educational environment. Disciplinary action under this section may include the following:
  - (1) Counseling with a student or group of students.
  - (2) Conferences with a parent or group of parents.
  - (3) Assigning additional work.
  - (4) Rearranging class schedules.
  - (5) Requiring a student to remain in school after regular school hours:
    - (A) to do additional school work; or
    - (B) for counseling.
  - (6) Restricting extracurricular activities.
  - (7) Removal of a student by a teacher from that teacher's class for a period not to exceed:
    - (A) five (5) class periods for middle, junior high, or high school students; or
    - (B) one (1) school day for elementary school students;

if the student is assigned regular or additional school work to complete in another school setting.

(8) Assignment by the principal of:

(A) a special course of study;

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(B) an alternative educational program; or

(C) an alternative school.

(9) Assignment by the principal of the school where the recipient of the disciplinary action is enrolled of not more than one hundred twenty (120) hours of service with a nonprofit organization operating in or near the community where the school is located or where the student resides. The following apply to service assigned under this subdivision:

(A) A principal may not assign a student under this subdivision unless the student's

parent approves:

(i) the nonprofit organization where the student is assigned; and

(ii) the plan described in clause (B)(i).

A student's parent may request or suggest that the principal assign the student under this subdivision.

(B) The principal shall make arrangements for the student's service with the nonprofit organization. Arrangements must include the following:

(i) A plan for the service that the student is expected to perform.

(ii) A description of the obligations of the nonprofit organization to the student, the student's parents, and the school corporation where the student is enrolled.

(iii) Monitoring of the student's performance of service by the principal or the principal's designee.

(iv) Periodic reports from the nonprofit organization to the principal and the student's parent or guardian of the student's performance of the service.

(C) The nonprofit organization must obtain liability insurance in the amount and of the type specified by the school corporation where the student is enrolled that is sufficient to cover liabilities that may be incurred by a student who performs service under this subdivision.

(D) Assignment of service under this subdivision suspends the implementation of a student's suspension or expulsion. A student's completion of service assigned under this subdivision to the satisfaction of the principal and the nonprofit organization terminates the student's suspension or expulsion.

(10) Removal of a student from school sponsored transportation.

(11) Referral to the juvenile court having jurisdiction over the student.

(c) As used in this subsection, "physical assault" means the knowing or intentional touching of another person in a rude, insolent, or angry manner. When a student physically assaults a person having authority over the student, the principal of the school where the student is enrolled shall refer the student to the juvenile court having jurisdiction over the student. However, a student with disabilities (as defined in IC 20-35-7-7) who physically assaults a person having authority over the student is subject to procedural safeguards under 20 U.S.C. 1415.

*As added by P.L.1-2005, SEC.17. Amended by P.L.66-2009, SEC.4.*

## **IC 20-33-8-26**

### **Rules requiring participation in disciplinary action by person caring for dependent**

**student**

Sec. 26. (a) The governing body of a school corporation may adopt rules that require a person having care of a dependent student to participate in an action taken under this chapter in connection with a student's behavior. The rules must include the following:

- (1) Procedures for giving actual notice to the person having care of the dependent student.
- (2) A description of the steps that the person must take to participate in the school corporation's action.
- (3) A description of the additional actions in connection with the student's behavior that are justified in part or in full if the person does not participate in the school corporation's action.

(b) A dependent student is a child in need of services under IC 31-34-1-7 if, before the student child becomes eighteen (18) years of age:

- (1) the student's parent fails to participate in a disciplinary proceeding in connection with the student's improper behavior, as provided for by this section, if the behavior of the student has been repeatedly disruptive in the school; and
- (2) the student needs care, treatment, or rehabilitation that the child:
  - (A) is not receiving; and
  - (B) is unlikely to be provided or accepted without the coercive intervention of the court.

*As added by P.L.1-2005, SEC.17.*

**IC 20-33-8-27**

**Supplemental procedures authorized**

Sec. 27. The governing body of a school corporation may by rule:

- (1) amplify;
- (2) supplement; or
- (3) extend;

the procedures provided in this chapter in any manner that is consistent with this chapter.

*As added by P.L.1-2005, SEC.17.*

**IC 20-33-8-28**

**Waiver of rights**

Sec. 28. Any rights granted to a student or a student's parent by this chapter may be waived only by a written instrument signed by both the student and the student's parent.

The waiver is valid if made:

- (1) voluntarily; and
- (2) with the knowledge of the:
  - (A) procedures available under this chapter; and

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(B) consequences of the waiver.

*As added by P.L.1-2005, SEC.17.*

**IC 20-33-8-29**

**Special schools**

Sec. 29. (a) As used in this section, "special school" includes the following:



- (1) A career and technical education school.
  - (2) A special education school or program.
  - (3) An alternative school or program.
  - (b) To the extent possible, this chapter applies to a special school.
  - (c) The governing body of a special school may make necessary modifications to the responsibilities of school personnel under this chapter to accommodate the administrative structure of a special school.
  - (d) In addition to a disciplinary action imposed by a special school, the principal of the school where a student is enrolled may without additional procedures adopt a disciplinary action or decision of a special school as a disciplinary action of the school corporation.
- As added by P.L.1-2005, SEC.17. Amended by P.L.234-2007, SEC.119.*

### **IC 20-33-8-30**

#### **Enrollment in another school corporation or charter school during period of expulsion or proposed expulsion**

Sec. 30. (a) This section applies to the following:

- (1) A student who:
  - (A) is expelled from a school corporation or charter school under this chapter; or
  - (B) withdraws from a school corporation or charter school to avoid expulsion.
- (2) A student who:
  - (A) is required to separate for disciplinary reasons from a nonpublic school or a school in a state other than Indiana by the administrative authority of the school; or
  - (B) withdraws from a nonpublic school or a school in a state other than Indiana in order to avoid being required to separate from the school for disciplinary reasons by the administrative authority of the school.
- (b) The student referred to in subsection (a) may enroll in another school corporation or charter school during the period of the actual or proposed expulsion or separation if:
  - (1) the student's parent informs the school corporation in which the student seeks to enroll and also:
    - (A) in the case of a student withdrawing from a charter school that is not a conversion charter school to avoid expulsion, the conversion charter school; or
    - (B) in the case of a student withdrawing from a conversion charter school to avoid expulsion:
      - (i) the conversion charter school; and

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- (ii) the school corporation that sponsored the conversion charter school; of the student's expulsion, separation, or withdrawal to avoid expulsion or separation;
  - (2) the school corporation (and, in the case of a student withdrawal described in subdivision (1)(A) or (1)(B), the charter school) consents to the student's enrollment; and
  - (3) the student agrees to the terms and conditions of enrollment established by the school corporation (or, in the case of a student withdrawal described in subdivision (1)(A) or (1)(B), the charter school or conversion charter school).
- (c) If:
- (1) a student's parent fails to inform the school corporation of the expulsion or separation or withdrawal to avoid expulsion or separation; or

- (2) a student fails to follow the terms and conditions of enrollment under subsection (b)(3);  
the school corporation or charter school may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion or separation.  
(d) Before a consent is withdrawn under subsection (c) the student must have an opportunity for an informal meeting before the principal of the student's proposed school. At the informal meeting, the student is entitled to:  
(1) a written or an oral statement of the reasons for the withdrawal of the consent;  
(2) a summary of the evidence against the student; and  
(3) an opportunity to explain the student's conduct.  
(e) This section does not apply to a student who is expelled under section 17 of this chapter.  
*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-8-31**

#### **Effect of suspension or expulsion on compulsory attendance laws**

- Sec. 31. If a student is suspended or expelled from school or from any educational function under this chapter, the student's absence from school because of the suspension or expulsion is not a violation of:  
(1) IC 20-33-2; or  
(2) any other statute relating to compulsory school attendance.  
*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-8-32**

#### **Locker searches**

- Sec. 32. (a) A school corporation must provide each:  
(1) student; and  
(2) student's parent;  
a copy of the rules of the governing body on searches of students' lockers and locker contents.  
(b) A student who uses a locker that is the property of a school corporation is presumed to have no expectation of privacy in:  
(1) that locker; or  
(2) the locker's contents.  
(c) In accordance with the rules of the governing body, a principal may search:  
(1) a student's locker; and  
(2) the locker's contents;  
at any time.  
(d) A law enforcement agency having jurisdiction over the geographic area having a school facility containing a student's locker may:  
(1) at the request of the school principal; and  
(2) in accordance with rules of the governing body of the school corporation;  
assist a school administrator in searching a student's locker and the locker's contents.  
*As added by P.L.1-2005, SEC.17.*

**IC 20-33-8-33**

**Duty to submit information to bureau of motor vehicles**

Sec. 33. Before February 1 and before October 1 of each year, except when a hearing has been requested to determine financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under IC 9-24-2-1 to be issued a driver's license or learner's permit, or concerning the invalidation of a license or permit under IC 9-24-2-4.

*As added by P.L.1-2005, SEC.17. Amended by P.L.231-2005, SEC.44.*

**IC 20-33-8-34**

**Disciplinary action for children with disabilities**

Sec. 34. (a) Notwithstanding any other law, a suspension, an expulsion, or another disciplinary action against a student who is a child with a disability (as defined in IC 20-35-1-2) is subject to the:

(1) procedural requirements of 20 U.S.C. 1415; and

(2) rules adopted by the state board.

(b) The division of special education shall propose rules under IC 20-35-2-1(b)(5) to the state board for adoption under IC 4-22-2 governing suspensions, expulsions, and other disciplinary action for a student who is a child with a disability (as defined in IC 20-35-1-2).

*As added by P.L.1-2005, SEC.17.*

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# HEALTH AND SAFETY

## Medical Information

All incoming students must have a medical examination and proof of immunizations on file before the first day of school. The only exemptions to this will be a physicians written statement indicating why immunizations should not be given, or a families religious reasons that preclude immunizations and health care.

Every student shall have on file a list of emergency contact numbers. These are adults who are able to represent the parent should the parent not be reached after three consecutive attempts. Parents should identify on the emergency form the name of the child's physician, the preferred hospital should a child need emergency treatment, and a signed consent to treat. Again, exemptions based on religious reasons will be kept on file.

Students taking medication of any kind (prescription or over-the-counter) while at school, must bring a completed **AUTHORIZATION OF MEDICATION FOR STUDENTS** form, signed by a doctor and parent. Medication shall be kept in the main office. Additional forms are available in the main office.

If a child becomes ill during the school day, the child will be separated from the other students and will be monitored by a responsible adult until the parent can come for the child.

***Lice:*** No student will be allowed to stay in school if nits (lice eggs) are found in his/her hair.

***Contagious conditions:*** Any student appearing to have a serious contagious condition (e.g. rash, pink eye), may be sent home immediately.

***Hygiene:*** Good hygiene and cleanliness helps us maintain a proper learning atmosphere. Students are expected to adhere to high standards of cleanliness. If a student's poor hygiene or lack of cleanliness becomes a health concern, or if it draws negative attention from other students the parent will be called to see how the school can assist in helping in the daily preparation of the student for school.

A student may return to school when the parent, a physician and/or school personnel deem the student healthy and free from disease, infection or parasites.

## Health Screenings at School

Children will be given routine screenings at school for vision, hearing, speech and language. Permission forms for such screening or any other screening that are deemed appropriate on a

case by case basis will be made available to each student prior to the screening. If a parent declines to have a child participate, it will be noted in the child's cumulative record.

### **Safety Routines**

The Evergreen Academy will hold regular monthly fire drills to assure all children and staff are practiced and prepared to exit the building in a safe and efficient manner. In addition, Tornado drills will be held at least twice annually. We encourage all families to have emergency exit plans and similar drills at home.

# **School's Leadership and Teacher Employment Policies**

## **Hiring New Staff**

### **Hiring Processes:**

- All applicants to the Evergreen Academy must complete an application form and be interviewed and screened by the School Leader. Applicants may also be interviewed by the supervisor in the area wherein a job exists (Special Education, Business Services).
- Applications are kept current and updated for one year.
- Any falsification of employment reports will disqualify the applicant from being hired or will result in termination of the applicant if he/she is hired.
- Criminal Record Check -An expanded criminal history record check will be conducted on all applicants. Information obtained in this manner shall be used only to evaluate applicants for employment. If an employee is hired before a criminal check can be obtained, an unsatisfactory criminal background investigation report will be full justification for termination of employment with the Evergreen Academy.
- Positions are offered to applicants in view of references, training, experience, and ability to meet the requirements of the available position. Documents required for employment are listed below.

### **Requirements/Items Required for Personnel Folders**

The following items will be included in the personnel files of employees:

### **Professional Employees, Including Administrators**

#### **1. Teaching credentials;**

- Valid Indiana Teacher and/or Administrator Certificate - If a certificate is in the process of being issued, Evergreen Academy requires a letter from the college stating that all requirements have been met, and that application has been made for the employee's certificate.
- Employees certified in other states - An employee who does not possess an Indiana Teacher Certificate but is certified in another state will need the following items:
  - ✓ a copy of the out-of-state teaching certificate;
  - ✓ an official transcript (showing degree, seal of the college and signature of the registrar) to submit to Indiana Department of Education, Teacher Licensure;
  - ✓ an application for a one-year teacher certificate, and the appropriate evaluation and certificate fee.
- Eligibility for emergency permit;  
An employee who does not possess a valid Indiana Teacher Certificate or out of state credential appropriate for the assignment must work with the School Leader to obtain an appropriate permit.

2. Official Transcripts from all Universities attended prior to employment
3. Appropriate district application;
4. Employee information sheet which includes current address and telephone;
5. References for employment;
6. Employment eligibility verification (Form I-9 is required by the federal government);

### **Paraprofessional Employees**

1. Verification of high school graduation or equivalency or transcripts of credits earned at an accredited college/university.
2. A valid Indiana Paraprofessional Certificate. Employee is responsible for the required fee.
3. Official service records for employment in other public school districts;
4. Appropriate district application;
5. Employee information sheet which includes current address and telephone;
6. References for employment;
7. Employment eligibility verification (Form I-9 is required by the federal government.);

## **Responsibilities of Staff Members**

### **Responsibilities of the School Leader**

- Shares the school vision with staff, volunteers, parents and the community;
- ensures that state and federal funds are spent according to state law;
- establishes a working relationship teachers and others built on mutual respect and shared vision;
- meets regularly with teachers to review data and plan instruction;
- assures students have ample time for recreation and supplemental activities through partnerships with area universities for student workers;
- provides time for, and encourages, teacher team planning;
- encourages professional staff to be involved in the selection of new supplemental curriculum and technology;
- supports and encourages innovative strategies and the incorporation of new technology into teaching and learning activities;
- evaluates teachers by clearly established and relevant criteria;
- promotes cooperation with other informational agencies such as public libraries, resource centers, Educational Training Centers, etc;
- assists in planning facilities renovation and/or adaptations;
- works with Ball state to ensure Evergreen Academy maintains compliance with the Charter intent;
- attends monthly board meetings of the Alexandria Academy Foundation Board (Alexandria Charter School Board) to participate in the continued planning and decision making processes of the school.

### Responsibilities of teachers

- Teach individuals and classes
- Use the curriculum developed or selected for the program
- Use teaching methods appropriate for the learners and the subject(s) being taught
- Evaluate learners at regular intervals
- Keep accurate records of learners' attendance and progress
- Report regularly to teacher team members and school leader
- Fulfill other tasks assigned by the school leader

## **Evaluation of Teacher Performance**

Evergreen Academy will implement the following teacher evaluation schedule:

- (a) at least one appraisal each year by the school leader
- (b) a conference between the teacher and the school leader that is diagnostic and prescriptive with regard to remediation needed in overall performance by category; and
- (c) criteria based on observable, job-related behavior, including:
  - 1. teachers' implementation of discipline management procedures; and
  - 2. performance of the teachers' students.

The annual evaluation of teacher performance will also include

- (a) a goal-setting process, including completion by the teacher of an Individual Professional Development Plan
- (b) a written summative annual appraisal report
- (c) a summative annual conference to be held with the teacher and school leader.

## **Accountability for Student Learning**

Teachers will be held accountable for increasing the achievement level of students, particularly those serving high-poverty and high-minority populations. Data analysis will be used as a means of monitoring success and ensuring accountability for the identified goals of the students and the school.

- Teachers will use baseline assessments, such as the Universal Screening (RTI), and Diagnostic assessments in Acuity to determine how to provide interventions and instruction to students.



- Instructional practices will include PBL, LbD, Differentiated Instruction, Technology applications and all other approaches to engage students with the learning process.
- Progress monitoring will be done not less than monthly using the computer based applications provided.
- Daily and weekly formative assessments will be administered to spotlight individual children who need remedial instruction quickly.
- Summative assessments and high stakes tests will inform the teacher and administration of the effectiveness of the teachers' efforts and outcomes during the year.

## **Dismissing School Personnel**

All employees are expected to conform to the highest standards of performance and conduct. If an employee is unable to maintain these standards, corrective discipline or termination may be required. The goals of corrective discipline are to remedy improper conduct on the part of an employee and to maintain a positive school environment.

### **Misconduct in the Work Place**

Disciplinary measures, or termination as the circumstances warrant, may be applied for misconduct in the work place. Corrective discipline may be initiated at the most appropriate level, based on each case and its severity. When applying corrective discipline, action may be taken as the supervisor deems appropriate from one or more measures that include, but are not limited to:

1. coaching session – a scheduled conference with an employee to reach agreement regarding how to correct a problem and/or improper performance;
2. oral reprimand – may be issued to an employee for misconduct by the administrator or immediate supervisor. An oral reprimand serves as notice to the employee that the specific conduct in question is considered undesirable, shall be corrected, and shall not reoccur in the future.
3. written reprimand – may be issued subsequent to any oral warning for misconduct or may serve as first notice to the employee that he/she has breached his/her designated responsibility. The written reprimand shall contain:
  - a. facts of the incident/situation
  - b. specific directives for correction;
  - c. remediation techniques;
  - d. date of reprimand; and,
  - e. employee's signature of receipt and acknowledgment.

A copy of the written reprimand shall be provided to the employee. The original reprimand shall be placed in the employee's personnel file as a permanent record of the misconduct and discipline. The employee has the right to attach his/her written rebuttal to the documentation.

### **Dismissal of an Employee**

In order to maintain a good working environment, all employees are expected to conform to reasonable standards of performance and conduct. When an employee demonstrates an inability to maintain these standards, the department head or supervisor will take necessary corrective action. This action in all cases is directed toward resolving personal and work-related problems which interfere with the employee's effectiveness. When all reasonable efforts to correct employee deficiencies are exhausted, it is necessary that he/she be terminated.

An employee whose performance is unacceptable, as determined by the employee's supervisor, may be recommended for termination. Reasons for termination include, but are not limited to, unsatisfactory evaluations, verbal warnings, un-corrected notices of performance deficiencies or offenses that justify immediate dismissal. Examples of offenses warranting immediate dismissal include, but are not limited to, conviction of any felony, any crime involving moral turpitude, fighting, threatening, or attempting to do bodily injury to an employee or student, carrying weapons, stealing or misappropriation of property of employees or of the Evergreen Academy.

### **Other Separation from the School**

Employees may be separated from the school because of conditions or circumstances beyond control, such as budget limitations, elimination of positions due to a school funding issues, reorganization, or other reasons deemed necessary by the administration.

## **Policy Regarding Criminal Histories**

The Evergreen Academy will comply with all provisions regarding criminal history checks outlined in I.C. 20-26-5-10, and Ball State University Office of Charter School's Policy regarding criminal histories.

### **Regarding Governing Body of the Evergreen Academy:**

No member of the Alexandria Academy Foundation Board (aka: Alexandria Charter School Board) shall have been convicted of any offense set forth in IC 20-26-5-11(b) in which judgment of conviction was entered under the law.

The Alexandria Charter School Board will obtain expanded criminal history checks within 60 days of the execution of the Charter, for all members of the board. Any board member having found to committed any acts set forth in IC 20-26-5-11(b), or any offense of theft, misappropriation of funds, embezzlement, misrepresentation, or fraud in any jurisdiction will be immediately dismissed of his or her duties.

Any prospective new board member will have provided an expanded criminal history check not less than 14 days prior to being approved to serve on the board. Any violations as stated in the previous paragraph will void the offer to place the prospective new board member on the upcoming agenda for approval.

### **Regarding Administrators, Teachers, Para-professionals, Volunteers, Contractors and Employees of Contractors**

The Evergreen Academy also requires that individuals have no convictions of any crimes as described under IC 20-26-5-11(b) who seek:

- employment with the school corporation; or
- seek to enter into a contract to provide services to the school corporation; or
- are employed by an entity that seeks to enter into a contract to provide services to the school corporation;

if the individuals are likely to have direct, ongoing contact with children within the scope of the individuals' employment.

The Evergreen Academy will conduct an expanded criminal history check concerning each applicant for non-certificated employment or certificated employment before or not later than one (1) month after employment or contract with The Evergreen Academy.

The Evergreen Academy will require each individual to provide a set of fingerprints and pay any fees required for the expanded criminal history check. Each applicant for non-certificated

employment, certificated employment, or volunteering, will be required at the time the individual applies to answer questions concerning the individual's expanded criminal history check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment. The applicant is responsible for all costs associated with obtaining the expanded criminal history check. In addition, the applicant will have on file a signed consent for background check results to be shared with Ball State University Office of Charter Schools upon their written request.

Any employee who is convicted of any offense set forth in IC 20-26-5-11(b) during his or her employment with the Evergreen Academy is required to notify the Evergreen School Leader.

Each applicant will complete an expanded criminal history check one (1) time during each five (5) year period.

Results of the expanded criminal history checks will be submitted to Ball State University's Office of Charter Schools upon written request from the Director of the Office of Charter Schools.

All expanded criminal history checks will be used in accordance with IC 10-13-3-29.

## **Policy Regarding Conflict of Interest**

### **Provisions**

1. Alexandria Academy Charter School Board (aka: Evergreen Academy Charter School Board) will carry out the duties of the board with integrity and in a way that avoids and potential, actual or perceived conflicts of interest in the business of running the Evergreen Academy. Any board member who is unclear about the boundaries of his or her duties should prepare to fully disclose all issues in question. Board members have the duty to disclose any personal ownership, interest or other relationship affecting or potentially affecting their ability to impartially and ethically make appropriate business decisions.
2. Impartial procedures will be used by all Charter Board members, School administrators and staff to conduct business with sub-contractors, suppliers, agencies and other individuals. Selection of vendors will be solely based on what is financially and academically the best choice for the School.
3. Board members and staff members will not accept monetary rewards or gifts from vendors, subcontractors or businesses for themselves or for any of their relatives. Gifts include items such as cash, gifts, entertainment, or favors relating to their position with the Charter Board. Nominal promotional gifts, such as mugs, pens, hats, notepads, etc. that have a value of less than what is described are excluded from this provision.
4. Any Board member will not knowingly hold any interest in or earn a profit from and contract or purchase by the Charter Board. Prior approval of reimbursement to board members or employees for expenses incurred for the sake of the school should be approved ahead of time during a regularly scheduled board meeting.
5. A Board member and or employee of the Evergreen Academy may be allowed an interest in or gain a profit from a contract or purchase made by the Charter Board as long as:
  - a. The employee is not a member of the Charter Board, and has no purchasing authority on behalf of the Board.
  - b. The employee performs different functions for the school that are unrelated to the contract or purchase
  - c. The employee makes disclosure to the Board.
6. Paragraph 4 of these provisions do not apply in the following circumstances to an school employee or a member of the Charter School Board:
  - (a) the contract or purchase involves the employment of the employee's relative, or the payment of a fee for goods or service to the employee's relative; and
  - (b) the employee makes disclosure to the Organizer's governing body in the manner set forth in this Policy at paragraph (7).

7. Any interest from contracts or purchases as described in paragraphs 5 & 6 above shall be described in a disclosure statement that fulfills the following obligation:
  - (a) The disclosure must be in writing;
  - (b) It must describe the contract or purchase being made
  - (c) Describe the interest the employee has in the purchase or contract
  - (d) Be affirmed under penalties of perjury
  - (e) be submitted to the Board with a contemporaneous copy being provided to the University's Director of the Office of Charter Schools, and be accepted by the Organizer's governing body in a public meeting.
8. After review of the proposed policy, a pecuniary interest in a contract or purchase shall be found to exist if the contract or purchase will result in, or is intended to result in, an increase in the income or net worth of:
  - a) a member of the Charter School Board
  - (b) an employee of the Evergreen Academy; or
  - (c) a relative of a director or officer of the Charter School Board, or of the Evergreen Academy employee which relative:
    - (i) is under the direct or administrative control of the director or officer of the Charter School Board, or of the employee; or
    - (ii) receives, or is awarded, a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the director of the Charter School Board, or of an Evergreen Academy employee.
9. Prohibitions required by this Policy shall not apply if the pecuniary interests of the director of the Charter School Board, or of an Evergreen Academy employee in the contract or purchase at issue, and in all other contracts and purchases over the immediately preceding twelve (12) month period before the date of the contract or purchase at issue, was \$250 or less.
10. Any violations to this policy shall be reported to the Director of the Office of Charter Schools, and the violation shall provide the basis for sanctioning the violating director or officer which sanctions shall include the possible suspension or removal of the violating officer or director from the Evergreen Academy's governing board in a manner consistent with the bylaws governing removal of members of the Organizer's governing body.
11. Employees of the Evergreen Academy shall not be voting members of the Evergreen Academy Charter School Board, or of any of its advisory boards with decision-making authority delegated by the Board, unless such prohibition is expressly waived in writing and under such conditions as expressly set by the Director of the Office of Charter Schools.

## **Complaint Policy**

Anyone who has a complaint to lodge against the Evergreen Academy or any of its board members, administrators, or faculty will be required to follow the procedure set forth below:

- 1) Make an appointment with the School Leader to state the complaint. If a satisfactory response is not forthcoming, the complainant may then:
- 2) Make the complaint to the Charter School Board in person, or by submitting the following information in its entirety by the day prior to the next scheduled Board Meeting:
  - Today's Date
  - Complainant Name
  - Address
  - Telephone No
  - Fax No.
  - E-mail Address:
  - Best Time To Call:
  - Date of Incident:
  - Name of Student(s) Your Relationship to Student(s)/School:
  - Description of Complaint:
  - Evidence of Complaint:
  - Remedy Sought
- 3) If after the Board reviews the complaint and issues its summary of the complaint to the complainant, the complainant is not satisfied he/she may submit the complaint in writing to the Director, Office of Charter Schools, Ball State University, Muncie, Indiana 47306.
- 4) A record of all complaints will be kept by the Charter School Board Secretary.

# Special Education Policy Manual

## Policy

Services for students with disabilities will be offered in full observance of Indiana Code. Determination of educational services for a student with disabilities will be dependent upon the identified needs of the student as identified by the case conference committee.

The Evergreen Academy will assure that:

- education will occur with non-disabled students to the maximum extent appropriate,
- removal of students from the general education setting will be considered only when it has been documented that education in general education classes using supplementary aids and services cannot be satisfactorily achieved,
- all students with disabilities will have access to the general curriculum, and
- services will be based upon the student's IEP regardless of identified disability

A continuum of services is available to meet the individual needs of students including, but not limited to, the following:

**Placement in the General Education Setting:** The student is served in the general education classroom without any accommodations or modifications to the curriculum, instruction, testing or grading. The special education teacher of record is responsible for consulting with the teachers monitoring the student's progress according to the IEP, at least once per grading period or as otherwise determined in the IEP.

**Placement in the General Education with consultation/accommodations:** The student is served in the general education classroom with consultation and support from the special education teacher. The general education teacher is responsible for direct instruction, testing, grading and behavioral management as specified in the IEP. The special education teacher may assist the general education teacher by designing and making material adaptations and accommodations, etc.

**General Education with direct special education support in the classroom:** The student receives special education support for the general education curriculum in the general educational setting. The special education teacher, therapist, or trained paraprofessional will be in the general education classroom



to provide direct instruction, instructional support, or other assistance to the student or a group of students.

**General Education with direct special education support outside the classroom:** The student receives special education support for the general education curriculum outside the general education setting. When the services cannot be appropriately provided in the general education setting, the student may receive selected services he/she needs in a separate special education setting.

**Separate Special Education services:** The student is served in a separate special education setting outside of the general education classroom for the majority of the day. The student has significant special education needs that cannot be satisfactorily achieved in a less restrictive setting.

The Evergreen Academy will comply with all Codes and Statutes in the **INDIANA STATE BOARD OF EDUCATION TITLE 511 ARTICLE 7 – SPECIAL EDUCATION**

*The following manual will be adapted for use by the Evergreen Academy, with input from the parents, administration and staff of the school when the Charter is approved.*

# Special Education Policy Manual



The Evergreen Academy

*The manual that follows was developed in Wisconsin through special IDEA funds. The manual in its entirety will be adapted by the Evergreen Academy and edited for accuracy and completeness for the Indiana Code concerning Special Education. It is an excellent example of an informative and complete parent information document that our school would like to adopt once edited for Indiana use. Credit will be given to the **Wisconsin Department of Public Instruction***

# **Special Education in Plain Language**

## **User-Friendly Handbook on Special Education Laws, Policies and Practices in Wisconsin**

**June 2009, Third Edition, Revised**

Collaboratively developed and reviewed by Wisconsin Parents, Advocacy Organizations, School and Special Education Administrators, General and Special Educators, Service Providers, Union Members, Special Education Attorneys, and the Wisconsin Department of Public Instruction.

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## Introduction

Some children who are having problems in school may need extra help through special education. Special education is for children who have a disability. Schools must follow certain procedures to decide if a child is eligible for special education. These procedures are written in state and federal laws. The special education laws and procedures are complicated and can be hard to understand. This book will help parents, school professionals and others understand some of the procedures of special education. The book is not a complete explanation of all the special education laws, but it has information about many of the most common things readers may want to know. This book is not meant to give legal advice. If legal advice is needed, talk to a lawyer.

### How to use this Book

The first part of this book is a large chart. There are five columns in the chart.

Column 1 **Topic**: use this to easily find the main topic.

Column 2 **What the Law Says** has the exact words from state or federal law about the topic. State law is shown as “115.xx.” It is from Chapter 115 of Wisconsin Statutes. When there is not a state law about the topic, federal law is noted. A citation that begins with “20 USC” is from the federal law called the Individuals with Disabilities Education Act (IDEA). A citation that begins 34 CFR 300 is from the federal regulations for IDEA. If Wisconsin has a policy on the topic, there is a reference to the Department of Public Instruction’s (DPI’s) “Update Bulletins.”

Column 3 **What the Law Means** is plain language wording about the law.

Column 4 **What Needs To Be Done** tells the things the school or the individualized education program (IEP) team must do.

Column 5 **What Parents Need to Know or Do** gives ideas for parents.

The law uses the term Local Educational Agency, or LEA. Most LEAs are public school districts in the local community. There are other agencies that have the same responsibilities as an LEA. These are usually state facilities that have schools. This book uses “LEA,” “district” and “school” as the same thing.

Part Two (Other School Choices), Part Three (Problem Solving) and Part Four (Special Education Behavior and Discipline) of this book tell what the law says as well as what

experts say. Some of the information is also found in the list of procedural safeguards schools must give to parents when they send them special education forms or notices. State and national resources are listed at the end of the book. This book refers to DPI Bulletins in many places. DPI Bulletins are used to explain some parts of special education law or requirements. They give more information on the topic. These bulletins can be read on the internet at <http://dpi.wi.gov/sped/bulindex.html>

### **Who is a child with a disability?**

*A child with a disability* is a child who needs special education and related services. The child must be at least 3 years old, but not yet 21, and not yet graduated from high school. The term includes a person who becomes 21 during the school term for the remainder of the school term (the last day pupils attend in a school year, other than summer classes). The law has criteria for each category below to help IEP teams decide if a child has a disability.

- Cognitive disabilities (CD)
- Hearing impairments (HI)
- Speech or language impairments (SL)
- Visual impairments (VI)
- Emotional behavioral disability (EBD)
- Orthopedic impairments (OI)
- Autism
- Traumatic brain injury (TBI)
- Specific learning disabilities (SLD)
- Other health impairments (OHI)
- Significant developmental delay (SDD)

### **The Language of Special Education**

Special education has a language of its own. School staff sometimes use letters instead of longer terms. This can sometimes be confusing. Here are a few terms used in this book. Look in the glossary on page 61 for more help with special education language.

**IEP team** - Individualized Education Program team is a group of school staff, parents, and others that either the school staff or parents choose to include.

**LEA** - Local Education Agency or the school district.

**DPI** – Wisconsin Department of Public Instruction, the state agency that oversees LEAs.

**FAPE** - Free Appropriate Public Education. LEAs are required to provide FAPE for all children enrolled in special education in that district.

### **What do we mean by “Parent”?**

In this book, the word “parent” means:

- a biological parent;
- a husband who has consented to the artificial insemination of his wife;
- a male who is presumed to be the child’s father;
- a male who has been determined to be the child’s father by a court;
- an adoptive parent;
- a legal guardian;
- a person acting as a parent of a child;
- a person appointed as a sustaining parent;
- a person assigned as a surrogate parent; or



- a foster parent under certain circumstances
- “Parent” does not include:
- any person whose parental rights have been terminated;
  - the state or a county or a child welfare agency if:
    - a child was made a ward of the state or a county or child welfare agency; or if
    - a child has been placed in the legal custody or guardianship of the state or a county or a child welfare agency; or
    - an American Indian tribal agency if the child was made a ward of the agency or placed in the legal custody or guardianship of the agency.

### **Child Find**

Schools are responsible for finding children with disabilities living in the school district. This includes children with disabilities attending private schools in the district and homeless children. Schools also must evaluate those children to see if they need special education. School districts have policies and procedures for how they will find children with disabilities in their districts. The plans describe how the district will help children get needed services. The plans might include newspaper announcements, flyers in public places or mailings to doctors and hospitals in the area. Most districts also have scheduled screening programs.

### **Notice and Consent**

In this book, the word “notice” is used with a legal meaning. Districts must give parents written notice before the district can change the identification, evaluation, or educational placement of a child. Districts must provide notice before refusing to change the identification, evaluation, or placement of a child. They must provide notice before starting or changing the provision of a free appropriate public education to the child. They must provide notice before refusing to start or change the provision of an appropriate education. A notice must include a description of the action the district wants to take or refuses to take. It must explain why the district wants to take the action or refuses to take the action. The notice must include a description of any evaluation, assessment, record, or report used in deciding to take the action or refusing to take the action. The notice must tell parents that they have protections under special education law (see sections below). If it is not in response to an initial referral for evaluation, the notice must tell parents how they can get a copy of the procedural safeguards. A notice also includes places for parents to contact for help in understanding special education requirements and procedures. The notice must describe other options the district considered and why those options were rejected. It must include a description of any other factors that were part of the district’s decision. Notices must be written in language understandable to the general public. They must be provided in the parent’s native language or other mode of communication unless it is clearly not practical to do so. If the parent’s native language is not written, the district must translate the notice for the parent and have written evidence it did so. Parent consent is required for districts to do evaluations or place children in special education. It is sometimes required in other situations. Consent means the parent has been fully informed in the parent’s native language of all information related to what the district is seeking consent. Consent means that the parent understands, and agrees in writing, to the carrying out of the activity for which the district is seeking consent. The request for consent must describe the activity. If the consent is for the release of records, the request must list the records

that will be released and to whom the records will be released. Consent is voluntary on the parent's part. Consent may be revoked at any time, but, if consent is revoked, it does not undo something that has already been done. If the revoked consent is for evaluation, the district must stop evaluating. If consent is revoked for placement in special education, before the child has begun getting special education services, the district may not provide the services. If consent for placement is revoked after special education services have started, the district will stop providing special education.

## **Withdrawal of consent for special education and related services**

### **WHAT THE LAW SAYS:**

If, at any time after the initial provision of special education and related services, the parent of a child revokes consent in writing for continuing special education and related services, the local educational agency--

1. May not continue to provide special education and related services to the child but must provide prior written notice before ending the special education and related services;
2. May not use the procedures in this law (including mediation or due process) in order to obtain agreement or a ruling the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services; and
4. Is not required to convene an IEP Team meeting or develop an IEP for the child.<sup>34</sup> CFR 300.300 (b)(4)

### **WHAT THE LAW MEANS:**

A parent may withdraw consent for special education at any time. The withdrawal must be in writing. If the parent withdraws consent, the school will provide the parent with a prior written notice explaining when it will stop providing the special education and related services. Once special education and related service stops, the school:

- Is not required to make FAPE available to the child;
- Is not required to have an IEP meeting or develop an IEP for the child;
- Is not required to apply the special education discipline protections; and
- Is not required to amend the child's educational records to remove any reference to the child's special education and related services.

### **WHAT NEEDS TO BE DONE:**

The parent must notify the school in writing that he/she wishes to withdraw consent for special education and related services for the child. When the school receives the written withdrawal from the parent, the school must give the parent prior written notice a reasonable time before stopping special education and related services.

## **WHAT PARENTS NEED TO KNOW:**

A parent may withdraw consent for special education and related services for his/her child at anytime. The withdrawal must be for all special education and related services. In other words, a parent cannot decide to revoke consent for some services, but keep others. All special education and related services will be stopped when parental consent is withdrawn. Once special education and related services stop, the school district is not required to make FAPE available to the child and is not required to have an IEP meeting or develop an IEP for the child. If the child is disciplined, the district is also not required to apply the discipline protections that are available under IDEA. The school district is not required to amend the child's educational records to remove references to the child's previous special education services. If the child is referred for special education in the future, the district must conduct an evaluation, and the evaluation will be treated as an initial evaluation. Tip: Parents should thoroughly consider all of these consequences when removing their child from special education.

### **Pupil Records**

Parents are permitted to review and inspect any education records relating to their child. Parent representatives have the same right of access as the parents. If the record contains information on more than one child, parents only have access to the information about their child. Parents may request copies of records if failure to provide copies of the records would effectively prevent the parent from exercising the right to inspect and review records. Districts must respond to parental requests for records without unnecessary delay, prior to any meeting about an IEP or a hearing regarding identification, evaluation or placement of a child and in other cases no more than 45 days after the request is made. The building principal or designated staff member will explain and interpret the behavioral records with the parents on request. Districts provide parents, on request, a list of the types and locations of records collected, maintained, or used by the district. Parents can request a copy of their child's special education records. A district may charge a fee for copies of the records made. Districts presume either parent has authority to review their child's records unless the district has been informed a parent does not have authority under state laws governing guardianship, separation, or divorce. More information about pupil records and confidentiality is available in a booklet from DPI. The booklet can be found on the DPI website at:  
<http://dpi.wi.gov/sspw/pdf/srconfid.pdf>

### **Procedural Safeguards**

Both state and federal special education laws give parents and schools certain rights. The law says that the school must tell parents about procedural safeguards. The school sends parents a written explanation of these rights at certain times. The items in the procedural safeguard notice are:

- Independent educational evaluation
- Prior written notice

- Parental consent
- Access to educational records
- How to start a due process hearing, including how to request a hearing may be asked for and the opportunity for the school to resolve the issues
- The child's placement during due process proceedings
- Procedures for pupils who are subject to placement in interim alternate educational settings
- Requirements for the unilateral placement by parents of pupils in private schools at public expense
- Mediation
- Due process hearings
- Civil actions (law suits), including when a civil action can be filed
- Attorney fees
- How to file an IDEA State Complaint with the department

For questions that are not answered in this book, talk to people at the child's school. Start with the child's teacher. If the teacher does not know the answer, or more information is needed, talk to the principal or the school district's director of special education. It is best to work out problems or get questions answered at the local school. The Department of Public Instruction (DPI) has many resources that can help parents. Parents may call the DPI when the local school cannot answer a question or solve a problem. Parents can also use the DPI web site <http://dpi.wi.gov> An index of special education topics is at <http://dpi.wi.gov/sped/tm-spedtopics.html> Parents can call DPI at 800-441-4563 (press 6 for the receptionist). Other resources are on page 60.

## **Special Education Process Map**

The chart on the next page shows how a child gets into a special education program. State law has a timeline for the process. A district must ask a parent for consent for evaluation or send a notice that no tests are needed within 15 business days of receiving a written referral. The evaluation must be done within 60 calendar days of when the school gets parent consent to evaluate or the date the parent was notified that testing is not needed. An IEP and placement must be developed within 30 days of deciding a child is eligible for special education. The evaluation can take more than 60 days, if the parent does not make the child available for testing, or if the child moves to another school district before the evaluation is done. In some cases, and only if parents agree, the evaluation of children being evaluated for specific learning disabilities may be extended more than 60 days. Referral Evaluation IEP Team decides:

1. does child have an impairment?
2. does the child need special education?

IEP team writes IEP together. This includes deciding what services the child needs. IEP team decides on placement. LEA implements the IEP and placement. IEP team reviews the IEP and placement at least annually. IEP team does a reevaluation at least

every three years, unless parents and school agree not to. Although this chart shows a series of decisions, all the decisions are connected. All the decisions are centered on the needs of the child. For example, when the IEP team talks about evaluation, they also think about what services the child will need and where the child will get the services. For some children, all the IEP team's decisions can be made in one meeting. For other children, the IEP team will need to meet together more than once. Anyone on the IEP team can ask for more time if it is needed. Anyone on the IEP team can also ask for an IEP team meeting to be held if there are changes to be talked about.

## **PART 1: THE IEP PROCESS**

### **Topic**

#### **What the Law Says**

#### **What the Law Means**

**Referral** A physician, nurse, psychologist, social worker or administrator of a social agency who reasonably believes that a child brought to him or her for services has a disability shall refer the child to the local educational agency.

A person who is required to be licensed..., who is employed by a local educational agency and who reasonably believes a child has a disability, shall refer the child to the local educational agency...

Any person...who reasonably believes that a child is a child with a disability may refer the child to a local educational agency... 115.777(1)

Listed professional people, including DPI licensed school staff, who think a child has a disability, are required to make a referral to the school. Anybody else, including parents, who thinks a child might have a disability, may refer the child to the school for a special education evaluation.

**How to refer** All referrals shall be in writing and shall include the name of the child and the reasons why the person believes that the child is a child with a disability. 115.777 (2)(a)

A person wishing to make a referral must make it in writing. The referral should say why the person thinks the child has a disability. It must also include the child's name.

#### **Informing parents before referral**

Before submitting a referral to a local educational agency..., a person required to make a referral... shall inform the child's parent that he or she is going to submit the referral. 115.777(2)(b)

Before teachers or professionals make a referral, they must let the child's parents know that they are going to make the referral.

#### **LEA procedures**

A local educational agency shall do all of the following:

- (a) Establish written procedures for accepting and processing referrals;
  - (b) Document and date the receipt of each referral;
  - (c) Provide information and in-service opportunities to all its licensed staff to familiarize them with the agency's referral procedures; and
  - (d) At least annually, inform parents and persons required to make referrals...about the agency's referral and evaluation procedures.
- 115.777(3)

Schools have written procedures for what happens to the referral when they receive it, including who referrals must be given to.

They have to keep a record of the date they received the referral.

The school must give information to all its licensed staff to make them aware of its referral procedures.

At least once a year, the school must inform parents and those who are required to make referrals about its referral and evaluation procedures.

### **IEP Team Participants**

**IEP team** The local educational agency shall appoint an individualized education program team for each child referred to it. Each team shall consist of the following: 115.78(1m)

The school appoints the participants of the IEP team. Parents are equal participants on the team.

**Parents** The parents of the child. 115.78(1m)(a) Parents are equal participants on the IEP team, along with the other participants.

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### **What Needs To Be Done**

#### **What Parents Need To Know or Do**

Schools have their DPI licensed staff make a referral when they believe a child has a disability.

Schools cannot refuse to accept a referral. Teachers should document what they have tried to help a child before they refer the child for evaluation.

Parents can make a referral if they think their child might have a disability. Other people, like doctors, teachers, or nurses must make a referral if they think the child has a disability. Other people can make a referral if they think the child has a disability.

Referrals must be in writing. Many schools have a referral form that parents can use, but the referral can be just a letter from the person making the referral. Schools may help parents make the written referral.

A referral must be in writing. Some schools have a form. Parents can write a letter to the school to ask the school to evaluate the child. Referrals have to say why the person making the referral thinks the child has a disability. Schools or other agencies will help make a referral if

asked. Parents should write the date at the top of the letter. They should keep a copy of the letter.

School staff will contact parents to tell them they are going to make a referral to evaluate.

People other than parents who make a referral should talk to the parents before making the referral. Parents should ask questions if they want more information about why the person wants to make a referral.

Schools must put their procedures for referral in writing for anyone to see. They must tell staff and other named professionals about these procedures. Schools date the referral when it comes in because the timeline begins when the referral is received.

Schools often inform parents and others by printing a notice about referrals and child find in the local paper or district newsletter.

A referral is received when the school gets it. When school is out, it means when someone at the school gets it.

Schools must remain open during normal business hours, not including legal holidays. So, if a referral can be made during the summer, the time lines apply during the summer, just like they do during the school year.

Parents can ask the school for a copy of the procedures for the special education process.

Parents can ask the school who should get the referral.

The school decides who will be the school staff on the IEP team and sends parents an invitation to the IEP meeting.

The invitation will list the names of the people, the categories they represent (see below for the categories).

Schools make all participants welcome. School professionals listen to the information presented by parents and their child experts. School professionals understand that evaluation is more than their own testing.

Parents should tell the school that they are coming to the IEP meeting. They should tell the school who they are bringing along as child experts or support. At the meeting, the parents should make sure all required people are at the meeting to help make the decisions. Parents are equal partners on the IEP team.

The school must work to make the parents equal participants in the IEP process and on the IEP team.

Parents are equal participants on the IEP team.

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## **Topic What the Law Says What the Law Means**

### **Regular teacher**

At least one regular education teacher of the child if the child is, or may be, participating in a regular educational environment. 115.78(1m)(b)

A teacher from the child's regular education classroom if the child is, or may be in regular education is a participant on the IEP team.

### **Regular teacher**

(continued)

The regular education teacher of the child, as a

participant on the individualized education program team, shall, to the extent appropriate, participate in the development of the individualized education program of the child, including the determination of appropriate positive behavioral interventions and supports and other strategies and the determination of supplementary aids and services, program modifications and support for school personnel. 115.787(3)(c)  
The regular education teacher helps write the IEP for the child. The regular education teacher helps to define the services, program modifications and support for school staff to help the child succeed in the regular classroom. The regular education teacher helps decide on positive behavioral supports for the child, if needed.

**Special  
education  
teacher**

At least one special education teacher who has recent training or experience related to the child's known or suspected area of special education needs, or, where appropriate, at least one special education provider of the child. 115.78(1m)(c)

There must be a special education teacher on the IEP team who is licensed in the child's area of disability or who has training or experience related to the child's needs arising from his or her disability. Whether a special education teacher has "recent training or experience" is based upon the child's needs and the teacher's training and experience.

**LEA  
representative**

A representative of the local educational agency who is qualified to provide, or supervise the provision of, special education, is knowledgeable about the general education curriculum and is knowledgeable about and authorized by the local educational agency to commit the available resources of the local educational agency.

115.78(1m)(d)

A principal, special education director, teacher, or anyone who can be sure the services in the IEP are provided to the child. This person must know about the regular education curriculum and the school district's resources. The LEA representative must have the authority to commit resources.

**Someone to  
explain tests**

An individual who can interpret the instructional implications of evaluation results, who may [otherwise] be a team participant. 115.78(1m)(e)  
Somebody on the IEP team must be able to explain what the tests mean in plain language or in the



language the parents normally use.

**Other participants**

At the discretion of the parent or the local educational agency, other individuals who have knowledge or special expertise about the child, including related services personnel, as appropriate. 115.78(1m)(f)

The school or parents may bring other people to the IEP meeting. The law says these people must have “knowledge or expertise.” The one doing the inviting makes the decision about this person’s “knowledge or expertise.”

**The child** Whenever appropriate, the child. 115.78(1m)(g)  
The child may attend the meeting and participate.

**Excuse participants**

ATTENDANCE AT MEETINGS. (a) A member of an individualized education program team is not required to attend a meeting of the individualized education program team, in whole, or in part, if the parent of the child with a disability and the local educational agency agree that the attendance of the member is unnecessary because the member’s area of the curriculum or related service is not being modified or discussed at the meeting. 115.78(5)(a)  
Required members may be excused from part or all of the meeting, if the parent and LEA agree in writing. At least one individual in each required category must attend or be excused: a regular education teacher of the child; a special education teacher of the child; an LEA representative; someone who can explain the tests; a person from the resident district, if a child attends school through open enrollment or a tuition waiver; an OT, a PT or a speech pathologist, if a child is suspected or known to need OT, PT, or speech therapy.

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**What Needs To Be Done What Parents Need To Know or Do**

Most IEP teams will include a regular education teacher to help develop the IEP. If the child has more than one regular education teacher, they may not all be at the IEP meeting. The regular education teacher is a teacher who may be responsible for implementing the IEP. The school will decide which teacher will be at the meeting.

The parents should ask if they do not understand why a regular education teacher is not at the IEP meeting. The decision about the regular classroom teacher is made by the school.

The regular classroom teacher helps to write and develop a child’s IEP. The regular education teacher helps determine what supplementary aids and services are needed. This teacher helps identify accommodations and modifications that will be needed for the child to be successful in the regular education programs. This teacher also helps to

identify what support will be needed for school personnel to serve the child.

The IEP team, which includes the parent, decides if the child will be in regular education classrooms or programs for all or part of their school day.

The school makes sure the IEP team has a special education teacher who is licensed or has training or experience in the child's disability-related needs. The special education teacher should be one who is, or will be, responsible for implementing the IEP.

Schools make sure teachers keep their skills up-to-date by sending them to teacher training events.

Parents may ask to have other teachers, who are not their own child's teachers, involved with the IEP team. The school has the right to decide which teachers will be at the meeting.

Schools have many opportunities to get more training for their staff to help them understand the child's disability and needs.

The school chooses the LEA representative. The LEA representative has the knowledge of, and authority to, commit district resources the child needs.

Parents should ask who the LEA representative is for the meeting. They should write down the name and title of the LEA representative. The LEA representative may serve more than one role on the IEP team.

The school has someone on the team who can explain the test results. This person may also be one of the other participants.

Parents can ask to have test results explained if they do not understand them.

The school may bring others who work with or know the child to the meeting.

The school must consider information from others who the parent brings.

Parents can bring other people with knowledge or special expertise to the IEP meeting. For example: friend, relative, neighbor, therapist, advocate, attorney, or child care provider.

The school must invite the child when transition issues are being discussed. This must begin with the IEP when the child will be 14.

Parents should strongly consider having the child go to the IEP team meeting. Parents can have the child at the IEP meeting whenever they want. The child should participate as much as possible.

When a member of the IEP team will not be at the IEP team meeting, if that member's area of service is not going to be talked about, then the parent can agree to have the meeting anyway. The school must tell the parent in writing, when and how they agreed about who will not be at the meeting. If the parent thinks the member the school wants to excuse is important for that meeting, they should not agree to excuse that member. The school must get the parent's agreement in writing. If the parent does not agree, they may tell the school in writing. The meeting may need to be

rescheduled to have the member at the meeting. The written agreement is needed only when no one in a required category will attend the meeting. For example, when at least one of the child's regular education teachers will attend the meeting, an agreement is not required to excuse additional regular education teachers.

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## **Topic What the Law Says What the Law Means**

### **Excuse**

#### **participants**

(continued)

(b) A member of an individualized education program team may be excused from attending a meeting of the individualized education program team, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the child's parent and the local educational agency consent and, before the meeting, the member submits to the child's parent and to the individualized education program team, in writing, the member's input into the development of the child's individualized education program. 115.78(5)(b)

If the parent consents in writing, a required IEP team member, whose area of curriculum or related services will be discussed, may be excused from attending part or all of the IEP meeting. The member must give written input about developing the IEP to the parent and IEP team before the meeting.

## **Transition at age three**

DPI Bulletin

#98.09

Ensures that children in early intervention programs..., who will participate in preschool programs...experience a smooth transition to those preschool programs, and that, by the third birthday of such child, an individualized education program has been developed and is being implemented for the child. The local educational agency shall participate in transition planning conferences arranged by the county administrative agency.

115.77(1m)(c)

In the case of a child who was previously served under [birth to three], an invitation to the initial IEP Team meeting must, at the request of the parent, be sent to the [birth to three] service coordinator or other representative...to assist with the smooth transition of services. 34 CFR

300.321(f)

[The notice of an IEP team meeting]

must...inform the parents of the provision in ...§300.321(f) (relating to the participation of the

Part C [Birth to 3] service coordinator or other representatives of the Part C system at the initial IEP Team meeting for a child previously served under Part C of the Act). 34 CFR 300.322(b)(1)(ii) There must be a smooth transition from Birth to Three programs to school programs, if that is the child's next step. With parent permission, the Birth to Three program should invite the school to a planning meeting before the child's third birthday, so an IEP can be in place by the time the child turns three. The school must participate in planning the child's transition and IEP before the child begins a school program. The IEP team looks at existing data and does any testing needed with the parents' permission.

If the parent asks, the school must invite a representative from the Birth to Three program that served the child to the first IEP team meeting. The invitation to an IEP team meeting must tell the parents that they can ask the school to invite a representative of the Birth to Three program to the first IEP team meeting for a child who was served by the Birth to Three program.

### **IEP TEAM'S JOB**

**DUTIES OF TEAM.** The individualized education program team shall do all of the following:

**Evaluation** (a) Evaluate the child...to determine the child's eligibility or continued eligibility for special education and related services and the educational needs of the child. 115.78(2)(a)

In Wisconsin, the IEP team is responsible for evaluating children to determine if they are eligible for special education.

**Write IEP** (b) Develop an individualized education program for the child...115.78(2)(b)

The IEP team develops an IEP for each child with a disability.

#### **Decide placement**

(c) Determine the special education placement for the child...115.78(2)(c)

As part of the IEP process, the IEP team determines the special education placement for children with disabilities.

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### **What Needs To Be Done What Parents Need To Know or Do**

If a member of the IEP team will not be at the IEP team meeting and that member's area of curriculum or service is going to be talked about, the parent must give consent for the member to be absent. The absent member must write what their thoughts about the IEP are. The school must ask for consent from the parent in writing. The report must be given before the meeting.

Parents should know the school must get their consent in writing. Parents sign a form to give consent. If the parent

wants the member at the meeting, the parent should not consent to excuse the member. The meeting may need to be rescheduled to have the required member at the meeting. The school will send someone to the transition planning meeting to plan for the child's services in the school. The school should have an IEP for the child no later than the child's third birthday if the child is eligible for special education.

If the parent asks the school to invite someone from the Birth-to-Three program to the first IEP meeting, the school must do it.

The school must tell the parent they can ask to have a Birth to Three representative invited to the first IEP team meeting.

Some children get special services from birth to age three.

The Birth to Three program asks the parents' permission and invites the school to a transition planning meeting before the child turns three. If a child needs special education, parents should make sure the Birth to Three program makes a referral. The parent should go to the school meeting where the IEP team will write an IEP. Parents are equal partners on the IEP team. Schools can also help if the child has other school needs. Parents can ask the principal for help. Parents should also talk to the new teachers and visit the new classroom.

An IEP team, including the parent, is appointed to do the evaluation of children suspected of having a disability. Parents are part of the IEP team. They are involved in the review of records, deciding what testing is needed, and deciding if a child is eligible for special education.

The IEP team develops an IEP for each child with a disability.

The IEP team develops an IEP for each child with a disability.

The IEP team decides the special education placement for children with disabilities.

Parents are part of the IEP team that decides on the special education placement.

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## **Topic What the Law Says What the Law Means**

### **Parent**

### **participation**

### **Notice**

### **Schedule**

Each public agency must take steps to ensure that one or both of the parents of the child with a disability are present at each IEP meeting or are afforded the opportunity to participate including:

- (1) Notifying parents of the meeting early enough that they will have an opportunity to attend; and
- (2) Scheduling the meeting at a mutually agreed upon time and place. 34 CFR 300.322(a)

Schools must make sure parents are told about every IEP meeting. If parents cannot attend the meeting, they must be given another way to participate such as by phone, conference call, etc.

- (1) Schools must let parents know about any IEP meeting soon enough for the parents to attend.
- (2) Schools must arrange the meeting at a time and place that both parents and school agree is okay.

#### **Timeline**

##### **Intent to evaluate**

The local educational agency shall[, ] within 15 business days of receiving a referral, send to the child's parents a request for consent to evaluate the child...except that if the local educational agency determines that no additional data are necessary, the agency shall notify the child's parent's of that determination within 15 business days of receiving the referral. 115.777(3)(e)

Within 15 business days of when the school district receives a referral, the school must either send the parents a request for consent for evaluation or a notice that no tests are needed.

**Evaluation** The local educational agency shall determine if a child is a child with a disability within 60 days after the local educational agency receives parental consent for the evaluation of the child...or, provides notice...that no additional data are needed, 115.78(3)(a)

The school has 60 calendar days after getting the parent's consent to do an evaluation and decide if the child is eligible for special education.

**IEP** The local educational agency shall conduct a meeting to develop an individualized education program...and determine a placement...within 30 days of a determination that a child is a child with a disability. 115.78(3)(c)

If the child is eligible for special education, an IEP must be developed, and a placement identified, within 30 calendar days of when the IEP team decides the child is eligible for special education.

##### **Exception to**

##### **Timeline**

The 60-day period does not apply to a local educational agency if any of the following occur:

1. A child enrolls in a school served by that local educational agency after the 60-day period has begun and before a determination by the child's previous local educational agency as to whether the child is a child with a disability, the subsequent local educational agency is making sufficient progress to ensure a prompt completion of the evaluation, and the child's parent and the subsequent local educational agency agree to a specific time when the evaluation will be completed.

2. The child's parent repeatedly fails or refuses to produce the child for evaluation. 115.78(3)(b)

If a child moves to a new school district after a parent gives consent for evaluation, the new school

does not have to finish the evaluation in the 60 days. The evaluation must be completed promptly by the new school. The new school and parents must agree on when the evaluation will be done. The 60 day limit does not apply if parents do not let the school evaluate the child.

#### **Additional time**

##### **for parent**

##### **participation**

Subject to pars. (a) to (c), if the parents of the child or the local educational agency staff determines at any meeting during the process of the evaluation, development of the individualized education program, or placement of the child that additional time is needed to permit meaningful parental participation, the local educational agency shall provide it. 115.78(3)(d)

Parents need to take part in every step of the IEP team process including evaluation, IEP writing and placement. Sometimes parents need more time to think about what school staff is saying at the meeting. School staff must give parents more time if they, or parents, think it is needed as long as the extra time does not make the school go past the timelines.

##### **Copy of**

##### **evaluation**

##### **report**

...Upon request the local educational agency shall provide a copy of the most recent evaluation report...to the child's parent at any meeting of the individualized education program team.

115.78(3)(d)

At any IEP team meeting, if parents ask for it, the school must give the parents a copy of the most recently done evaluation report.

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### **What Needs To Be Done What Parents Need To Know or Do**

Schools need to make sure all IEP team members are told about the IEP meeting. They try to make it possible for parents to attend the meeting.

(1) School sends the parent a letter inviting them to the IEP meeting early enough so the parents can arrange to be at the meeting.

(2) The letter will list a suggested time and place for the meeting.

Parents should make plans to attend the IEP meeting. If they cannot get to school, they may ask to attend the meeting by phone or in another way. The parent can ask to have the IEP team meeting at a different time or place.

When the school gets a referral, it writes down the date they received it. When the school gets a written referral, it must start the evaluation process. Within 15 business days, the school sends the parents a request for consent for evaluation. If the IEP team, including the parents, thinks no tests are needed, it sends a notice saying that.

The school must have a process for receiving referrals, even during school breaks.

Parents are part of the IEP team that decides if tests are needed. Parents will be contacted by someone from school to talk about whether tests are needed. They will get a written notice from the school about the decision if tests are needed. If tests are needed, the notice will ask for parents consent for evaluation. (Review Existing Data, page 20) Within 60 calendar days of when the school gets parent permission to do testing or after sending a notice that no tests are needed, testing and a decision about if the child is eligible for special education must be done.

Parents are members of the IEP team that decides if the child is eligible. The decision must be made within 60 calendar days of when the school receives parent consent for testing or sends a notice that no tests are needed. Parents help decide if their child is eligible for special education.

If a child is eligible for special education an IEP must be written within 30 calendar days of deciding the child is eligible. A placement to provide the services in the IEP must be done in the same 30 days.

Parents are members of the IEP team that decides what services a child needs. The IEP team decides what services are needed within 30 calendar days of deciding the child is eligible for special education. They also help decide about where the services will be given. This can be at the same meeting when the IEP team decides the child is eligible.

If a child moves to a new school district after parents have given consent for evaluation, the old school does not finish the evaluation. The new school must work with the parent to agree on a date when the evaluation will be finished.

The 60 day timeline does not apply to the new school. Both the old school and the new school must work together to get information so the evaluation can be done promptly.

If parents do not let the school evaluate their child, then the 60 day timeline does not apply.

Parents should let the new school know right away that the old school was doing an evaluation. This will help the new school ask for the right information from the old school so that the evaluation can be done in a reasonable time.

Parents work with the new school to set a new date for when the evaluation will be done.

Parents should work with the school to help get the evaluation done in time.

If anyone on the IEP team, including the parents, thinks more time is needed to allow parents to participate in the IEP process in a meaningful way, the school must give more time, within the limits of the timeline.

Everyone on the IEP team, including the parents, has the right to ask for more time as long as it does not go past the timeline. The school must allow extra time if it is needed.

Parents are equal partners on the IEP team. Parents may ask for the meeting to stop. The IEP team will set a new date to meet. Parents may want to take the information home to read and study. They may want to talk about it



with family members or other child experts.

If parents want or need a copy of the most recent evaluation report, they can ask for one and the school will give it to them.

At any IEP team meeting, if the parent asks for a copy of the most recent evaluation report, the school must give it to them before the IEP team continues.

**TIP:** It is recommended that parents keep copies of all notices they get from the school.

**TIP:** If parents do not speak or understand English very well, they have the right to have an interpreter or translator for parents to be equal partners on the IEP team.

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## **Topic What the Law Says What the Law Means EVALUATION PROCEDURES**

### **Evaluation**

#### **notice**

The local educational agency shall notify the parents of the child...of any evaluation procedures the agency proposes to conduct and the names of the individuals who will conduct the evaluation if known. 115.782(1)(a)

The school must let parents know that they want to evaluate a child for special education and related services. The school must tell the parents in writing about the evaluation. Every evaluation starts with the IEP team reviewing existing data and deciding whether or not more tests are needed. If new testing is needed, the school must tell the parents in writing who will do the testing (if known) and what kind of testing they will do.

#### **Consent for evaluation**

The local educational agency shall, before conducting an initial evaluation of a child, obtain informed consent from the child's parent. Parental consent for the evaluation does not constitute consent for placement for receipt of special education and related services. 115.782(1)(b)

The school cannot give new tests in an evaluation until they have the parent's written permission (consent). Permission is for evaluation only, not for being in special education.

#### **If parents**

##### **refuse consent**

If the child's parents do not consent to the evaluation, the local educational agency may continue to pursue an evaluation using the procedures under 115.797 [mediation] or 115.80 [due process] 115.782(1)(b)

If the parent does not give consent for the evaluation, the school has three choices:

- Do nothing and the process stops;

- Ask for mediation; or
- File for a due process hearing to get consent from a hearing officer.

## **More than one**

### **evaluation procedure**

In conducting the evaluation, the individualized education program team shall not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability or for determining an appropriate educational program for the child. 115.782(2)(a) Schools must use more than one test or evaluation procedure to decide if a child qualifies for special education and to decide the child's program.

### **Information from more than one source**

The individualized education program team shall...: Use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information, including information provided by the child's parent, that may assist in determining whether the child is a child with a disability and the content of the child's individualized education program, including information related to enabling the child to be involved in and progress in the general curriculum or, for preschool children, to participate in appropriate activities.

115.782(2)(a)1

The IEP team will get information about the child from many sources. The information can come from parents, tests, observations, the child's doctors or therapists. The information will be used to decide if the child qualifies for special education. The information will also help the team write the IEP so that the child can participate in the general curriculum.

### **Evaluations and tests**

The individualized education program team shall...: use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. 115.782(2)(a)2 School staff use tests that give accurate information.

### **Nondiscriminatory testing**

The individualized education program team

shall...ensure: that assessments and other evaluation materials used to assess a child ...are selected and administered so as not to be racially or culturally discriminatory and are provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so. 115.782(2)(a)3.a

The tests used must not discriminate against a child because of the child's race or culture. The tests must be given in the language normally used by the child, or in whatever way the child uses to communicate, if at all possible.

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### **What Needs To Be Done What Parents Need To Know or Do**

If new tests are needed, the school will send a form asking for parent permission to test their child. The form will include information about the evaluation. The school selects the tests and the staff who will give them.

If no new testing is needed, the school does not need to get parent permission. The school sends the parents a form telling them that no testing is needed.

Parents will get a notice telling them what kinds of tests will be given and who will give the tests, if the school knows.

The school must tell the parent in writing about the evaluation. If new testing is needed, the school must also tell the parents who will do the testing (if known) and what kind of testing they will do. The school must get the consent of the parent before giving the tests.

Parents can ask the school to explain the evaluation before giving permission. Parents should be sure they understand what they are giving permission for.

Parents sign the consent form to give their permission for evaluation. Parents should send the consent form back to school as soon as possible. The 60 day timeline does not start until the school gets the parent's consent.

The district must take its responsibility to provide special education very seriously. The school has to decide how important it is to test the child.

Parents have the right to refuse consent.

If parents refuse consent, the school may ask the parents to participate in mediation (see page 44) to encourage the parents to give consent.

The school may request a due process hearing (see page 47) to get permission to do an evaluation without the parent's consent.

Members of the IEP team do the testing. They do not use just one test.

The IEP team must look at many things before saying a child has a disability. Parents should tell the IEP team about their child at home, with family, and in the community. Parents may also give the IEP team information from the child's doctors, therapists, or others. The IEP team will gather information to understand the

whole child.

Parents may write down information about their child for the IEP team. Parents should tell the other members of IEP team about the things the child can do well. They should also tell what the child likes to do and what is difficult. Parents can also ask a doctor or therapist to tell the IEP team about the child. Doctors or therapists may tell the IEP team in person, in writing or on a speakerphone.

The school gives the tests or does other evaluation procedures to get the information the IEP team needs. The parent gets a written notice telling which tests the school plans to use.

Parents may ask to see information about the tests their child will take. Parents should ask the school staff to explain the tests. Parents can look at their child's answer sheet. Parents cannot look at the test kit itself.

The IEP team picks tests and assessments that do not discriminate because of a child's race or culture. As much as possible, the tests must be given in the language the child normally uses. The school may use interpreters when children do not speak English or use sign language. Children may also use communication boards or other communication tools.

Testing must be fair to children of all cultures and languages. Parents should tell the school how their child communicates best. Parents should make sure the school uses their child's communication methods for the testing.

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## **Topic What the Law Says What the Law Means**

**Valid testing** The individualized education program team shall...ensure: that assessments and other evaluation materials given to the child are used for the purposes for which they are valid and reliable, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of the assessments or evaluation materials.

115.782(2)(a)3.b

The IEP team selects the appropriate tests to measure the child's needs; the people giving the tests are properly trained, and follow the test's directions.

### **Complete assessment**

The individualized education program team shall...ensure: that the child is assessed in all areas of suspected disability. 115.782(2)(a)3.c  
The child is tested or evaluated in all areas of a suspected disability by the IEP team. The evaluation must be broad enough to find all the child's special education needs.

### **Relevant assessment**

The individualized education program team shall...ensure: that assessment tools and strategies that provide relevant information that directly

assists persons in determining the educational needs of the child are used. 115.782(2)(a)3.d  
Any tests given must help people decide what the child's educational needs are.

**Evaluation** As part of an initial evaluation of a child and as part of any reevaluation of a child...the individualized education program team and other qualified professionals, as determined by the local education agency, shall do all of the following:  
115.782(2)(b)

The IEP team, which includes the parents and people appointed by the school, must do all of the following:

**Review  
existing  
data**

1. Review existing evaluation data on the child, including evaluations and information provided by the child's parents; previous interventions and the effects of those interventions; current classroombased, local or state assessments classroom based observations; and observations by teachers and related services providers.

The team must examine all the current information available on the child from various sources, including information from the child's parents.

The IEP team will look at anything that was tried prior to this evaluation and what changes may have occurred. The IEP team looks at any current assessments from the classroom. There may be observations made by teachers, other professionals, and qualified persons who have training in the suspected area of disability.

**Identify  
additional data  
needed to  
determine:**

2. On the basis of that review and information provided by the child's parents, identify the additional data, if any, that are needed to determine all of the following:

By gathering all of the above information, including information from the child's parents, the IEP team will decide if any additional testing might be needed. The IEP team will also decide if any qualified evaluators need to be added to the team to determine the following:

**If child has  
disability**

a. Whether the child has a particular category of disability and the educational needs of the child or, in case of a reevaluation of a child, whether the child continues to have such a disability and such educational needs.

Whether the child has a disability (in the case of a

reevaluation, does the child continue to have a disability)?

**Present levels of academic achievement**

b. The present levels of academic achievement and related developmental needs of the child. What is the child's achievement in school and related developmental needs?

**If child needs special education**

c. Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services.

Does the child need special education and related services? In the case of reevaluation, does the child continue to need special education and related services?

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**What Needs To Be Done What Parents Need To Know or Do**

The IEP team selects the appropriate tests to measure the child's needs; the people giving the tests are properly trained, and follow the test's directions.

Parents can ask why the school used one test instead of another one. Parents may ask the school to use a particular test, but the school makes the final decision on which test it will use.

Tests and other assessment procedures are picked to evaluate all of the child's needs. The IEP team does not look at just one part of the child's needs.

Parents can ask that their child be tested in an area they are concerned about.

The IEP team gives tests to get information to help determine the child's educational needs.

Parents provide information about their child to help the IEP team participants understand the child's educational needs.

The IEP team must review existing information and testing the child has done. If there is a need to have other people on the IEP team, the school must appoint them to the team and tell the parents.

Parents should write down their ideas about what their child needs. This will help the school in doing the evaluation.

Parents can give the names of other people who have knowledge of the child. These other people may also be part of the IEP team.

Members of the IEP team will review all of the child's records, including medical, attendance, behavioral, state and district testing information, etc. and will also look at any information provided by the parents. The IEP team will look at anything that has been tried to help the child's education and look to see if those special things that were tried helped the child's education in any way. The IEP team will be looking at how the child learns and participates

in regular education classes and other activities in the school.

Parents tell the IEP team about their child.

Parents will be contacted by the school to go over existing records, what teachers have seen in the classroom, and what they have tried to help the child learn.

Parents may ask to read the child's record.

This part of the evaluation happens within 15 business days after the school receives a referral or within 15 business days from a notice of reevaluation.

The IEP team decides what information they may still need to get. If more information is needed, the IEP team decides what kind of testing is needed. The IEP team also decides what qualifications the person doing the testing will need to have.

As part of the IEP team, parents help decide what other information is needed to answer the following questions:

Is more information needed for the IEP team to answer the question: Does the child have a disability or continue to be a child with a disability?

Does the child have a disability or continue to be a child with a disability?

The IEP team looks at how well the child is performing at the present time. Is more information needed for the IEP team to answer the question: What are the educational needs of the child?

What are the educational needs of the child? How is the child doing right now?

Is more information needed for the IEP team to answer the question: Does the child need special education and related services?

Does the child need special education and related services?

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## **Topic What the Law Says What the Law Means**

### **If additions or modifications are needed**

d. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable, annual goals specified in the child's individualized education program and to participate, as appropriate, in the general curriculum.

Are any changes to the child's special education and related services needed? These changes must be needed to allow the child to reach the measurable annual goals that are written in the child's IEP. What is needed for the child to participate in the general curriculum?

### **Administer tests**

The local educational agency shall administer such tests and other evaluation materials as may be needed to produce the data identified [above].

115.782(2)(c)

The school must use the tests and evaluation materials to get the information the IEP team needs.

## **EVALUATION REPORT**

**IEP team**

**decides**

**if the child**

**is eligible**

Upon completion of the administration of assessments and other evaluation measures, the individualized education program team shall determine whether the child is a child with a disability and the educational needs of the child. The team may not determine that a child is a child with a disability if the determinant factor for the determination is lack of appropriate instruction in reading, including in the essential components of reading instruction,...or lack of instruction in math, or because the child has limited English proficiency. 115.782(3)(a)

After reviewing existing information and the results of new tests, if any, the IEP team decides if the child has a disability. They cannot say that the child has a disability if the child's problems are only because of a lack of instruction in basic subjects or because the child has limited English skills.

### **Evaluation**

#### **report**

The individualized education program team shall prepare an evaluation report that includes documentation of determination of eligibility for special education. The local educational agency shall give a copy of the evaluation report, including the documentation of eligibility, to the child's parents. 115.782(3)(b)

The IEP team's evaluation report must include the reasons why the child qualifies for special education. It has information from the team participants. It will tell the parent if the child has a disability according to special education law. The school will send the parents a copy.

### **Notice**

**if child is**

**not eligible**

The local educational agency shall...ensure that a child's parents are provided prior written notice whenever the local educational agency proposes to initiate or change, or refuses to initiate or change, the evaluation or educational placement...of the child... 115.792(1)(b)

Whenever the IEP team decides a child is not eligible for special education, the school must tell the parent in writing of that decision.



## **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

### **When in effect**

REQUIREMENT THAT PROGRAM BE IN EFFECT. At the beginning of each school year, each local educational agency shall have in effect, for each child with a disability, an individualized education program. 115.787(1)

Each child eligible for special education must have a current IEP at the beginning of each school year.

### **Who sees the IEP**

*Accessibility of child's IEP to teachers and others.*

Each public agency must ensure that -

(1) The child's IEP is accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation; and

(2) Each teacher and provider...is informed of-

(i) His or her specific responsibilities related to implementing the child IEP; and

(ii) The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. 34 CFR 300.323(d)

Everyone at school who works with the child should be able to see the IEP.

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### **What Needs To Be Done What Parents Need To Know or Do**

Is more information needed for the IEP team to determine what changes or additions are needed to special education and related services to meet the goals in the child's IEP and learn what other children learn?

What changes might be needed to help their child be successful?

The school must be sure all of the tests and evaluations results are given and reviewed to help the IEP team determine the above information.

Parents should make their child available to the members of the IEP team who will do the testing.

The school staff members, or other qualified professionals on the IEP team, do the testing with the child. Then the entire team, including the parents, decides if the child qualifies for special education. The IEP team will use state law to decide if the child qualifies for special education.

The IEP team cannot decide the child has a disability if the child's problems are only because of poor or limited instruction in basic subjects or the child has limited English. Parents tell the IEP team about their child's needs. It is easier if parents have their information organized and written. They may give copies of their information to all participants for better understanding.

Parents can ask school staff to explain what it takes for the child to be eligible for special education. Parents are equal

participants on the IEP team that decides if the child is eligible for special education.

The IEP team will write an evaluation report. The report tells how the child has qualified for special education. The IEP team decides if the child meets the criteria for a disability. The IEP team also decides if the child needs special education because of the disability. The evaluation report will give the reasons for these decisions. The school will send a copy of the evaluation report.

Parents should make sure they understand why their child qualifies or does not qualify for special education.

If the parent wants to study the *Evaluation Report* at home, they should ask for a copy of the report and additional time. The IEP team will schedule another meeting for writing the IEP.

If the IEP team decides a child is not eligible for special education, the school sends the parent a written notice of that decision. The notice tells the parents what was decided and why and what else was considered. A copy of the evaluation report is included with the notice.

If the IEP team finds the child is not eligible for special education, parents will get a written notice saying why their child is not eligible. Parents need to be sure they understand why the child does not qualify for special education. They should carefully read the evaluation report. If parents want help in understanding the report, they can call the person listed on the notice. If the parents disagree with the IEP team decision, they can use the problem solving procedures in Part 3 of this book.

The school will make sure that the IEP for each child who qualifies for special education services is up-to-date and ready for the beginning of the school year.

Parents should review their child's IEP at the beginning of the school year. They should make sure that all parts of the IEP fit the new school year. If the child has changed in some way that needs a change in the IEP, the parent can ask for a meeting to review the IEP.

The school must make sure all of the child's teachers and service providers can look at or get a copy of the IEP.

The school must make sure all of the child's teachers and service providers know their specific responsibilities for implementing the IEP and what accommodations, modifications, and supports must be provided.

Parents can give copies of the IEP to anybody they want.

The school makes sure all of the child's teachers and service providers can look at or get a copy of the IEP.

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## **Topic What the Law Says What the Law Means**

### **Parent copy of the IEP**

The local educational agency shall give a copy of the child's individual education program to the child's parents with the notice of placement.

115.787(3) (e)

When the Notice of Placement is given to parents,

the LEA must give a copy of the child's IEP to parents.

## **Required Components**

**Required Components.** An individualized education program shall include all of the following:

The required parts of the IEP are:

### **Present level of performance**

A statement of the child's present level of academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general curriculum or, for a preschool child, as appropriate, how the disability affects the child's participation in appropriate activities.

115.787(2)(a)

The IEP must include the child's present level of learning and functional performance, addressing each area of need. The present level of performance describes how the child is doing in specific areas of need found during the evaluation. Functional performance is how the child uses his learning and other skills like self-care. It includes the child's strengths, interests, and needs.

**Annual goals** A statement of measurable annual goals for the child, including academic and functional goals, designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general curriculum, and meet each of the child's other educational needs that result from the child's disability. 115.787(2)(b)

Goals are to help the child learn the general curriculum and meet other educational needs. Measurable goals usually cover what the child can be expected to meet in about one year.

### **Benchmarks or short-term objectives**

For a child with a disability who takes alternate assessments aligned with alternate achievement standards, a description of benchmarks or short-term objectives. 115.787(2)(bm)

If the IEP team decides that a child with a disability will take an alternate assessment for a statewide or district test, then the goals in the IEP must have benchmarks or short-term objectives.

### **Progress toward goals**

A statement of all of the following:

1. How the child's progress toward attaining the

annual goals described in par. (b) will be measured.

2. When periodic reports, such as quarterly reports or other periodic reports issued concurrently with report cards, on the child's progress toward attaining the annual goals described in par. (b) will be provided to the child's parents. 115.787(2)(h)

The child's progress toward annual goals must be measured.

Parents will be told how well their child is moving toward reaching the annual goals on a schedule the IEP says.

### **Special education and related services**

A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child to do all of the following:

1. Advance appropriately toward attaining the annual goals.
2. Be involved and make progress in the general curriculum in accordance with par. (a) and participate in extracurricular and other nonacademic activities.
3. Be educated and participate with other children with disabilities and nondisabled children in the activities described in this subsection. 115.787(2)(c)

The IEP must include:

- The special education and related services, extra help and supplementary aids and services that will be given to the child or provided for the child.
- A statement about program changes, or help for school staff that will help the child do all of the following:
  - Move appropriately toward the annual goals,
  - Learn the general education curriculum,
  - Be part of any school activities that any other children do, and
  - Be educated with children with and without disabilities.

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### **What Needs To Be Done What Parents Need To Know or Do**

The school must give a final copy of the IEP to the child's parents when they send the Notice of Placement.

Parents will get a copy of the new IEP with the Notice of

Placement, unless they ask for it earlier. Parents should keep copies of the IEP and check it to see if the goals are being met. When parents get their copy of the IEP, they should read it carefully. If parents have questions, they should call the school. They may ask for a new IEP meeting, if they want to talk about changes.

Schools make sure all parts of the IEP are up-to-date.

Parents make sure all parts of the IEP are up-to-date.

Schools make sure that each area of need has a present level of achievement and functional performance. There are two parts to the present level of performance. The IEP will say how the child's participation in the general curriculum or other activities is affected by the disability. It will also describe how the child performs in both academic and nonacademic areas of need.

Information from the parents is helpful to the school in planning for the child's educational needs. Parents share with the IEP team how the child's disability affects everyday activities such as homework, play, and self care. They can share information about the child's interests and activities. They provide information about the child's strengths and areas of need. It helps if parents give information about outside services.

The IEP team writes annual goals that the child will likely complete in one year. The goal will say what kind of change is expected. The goals relate to the child's needs that are due to the child's disability. The goals help the child be included in the general curriculum and other activities at school.

Parents will help the rest of the IEP team understand what they expect of their child in the general curriculum and other activities.

Parents should share what they would like their child to be able to do.

If the IEP team decides that the child will take a different kind of test instead of the required state tests, then each goal will have small steps the child will master on the way to meeting the annual goal.

If the IEP team decides that the child will take a different kind of test instead of the required state tests, then each goal will have small steps the child will master on the way to meeting the annual goal.

The IEP will include how the school will measure the progress the child is making towards the annual goal. The IEP will also include when the parents will be told about that progress.

Parents must make sure they get reports about their child's progress on the IEP goals. The reports can be written or told to parents. If parents have questions about the report, they should ask the school staff to explain it in plain language.

The IEP team will decide which special education services and which related services, modifications, accommodations and other services, the child will need to be part of the general curriculum and other activities and advance toward annual goals. To the extent possible, the services are to be

shown to be effective by research. The IEP team decides how the program will be changed for the child and what kinds of help school staff need so the child can:

- Make progress toward annual goals;
- Have as much success as possible in the general curriculum; and
- Be part of the other school activities.
- Be educated with children without disabilities.

The IEP team decides what special help and services the child will receive.

The child has the right to be educated with other children with disabilities and with children who do not have disabilities.

**TIP:** Benchmarks or short term objectives can be written for any IEP if the team decides to do so.

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## **Topic What the Law Says What the Law Means**

### **Participation in general curriculum**

An explanation of the extent to which the child will not participate with nondisabled children in regular classes, in the general curriculum and in extracurricular and other nonacademic activities.

115.787(2)(d)

If participation in the regular class or general curriculum is not right for the child, the IEP must explain how much the child would not be part of regular classes or other school activities or learning what other children learn.

### **Statewide assessments**

1. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on statewide or local educational agency-wide assessments.

2. If the individualized education program team determines that a child will take an alternate assessment on a particular statewide or local educational agency-wide assessment of pupil achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child. 115.787(2)(e)

Most children with disabilities will participate in state and district-wide tests. The IEP says what changes might be needed in how the test is given. It also explains what help the child will have for state tests or school district tests.

Most children with disabilities will take the state and district-wide tests, with or without accommodations. For the few children who cannot take the regular tests, the IEP team must explain why and provide for a different test.

**Beginning date,  
frequency, &  
duration of  
services**

The projected date for the beginning of the services and modifications described in ... [the IEP] and the anticipated frequency, location and duration of those services and modifications.

115.787(2)(f)

Each IEP must have a beginning date for the services identified in the IEP. The IEP will say how often each service will happen, where it will happen and how long it will happen.

**Transition 1.** Beginning not later than in the first individualized education program that will be in effect when the child is 14, and updated annually thereafter, a statement of appropriate, measurable postsecondary goals for the child based on age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills.

2. Beginning not later than in the first individualized education program that will be in effect when the child is 14, and updated annually thereafter, a description of the transition services, including courses of study, needed to assist the child in reaching the goals under subd. 1. 115.787(2)(g).

Transition planning begins no later than the IEP that will be in place when the child turns 14.

Transition planning is part of the IEP every year after that. The IEP team writes measurable goals for after high school. The goals are based on age appropriate assessments of the child's needs for training, education, employment, and independent living skills.

No later than age 14, the IEP describes transition services the child will need to reach the after high school goals. Transition planning is part of the IEP every year until the child is out of school.

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**What Needs To Be Done What Parents Need To Know or Do**

The IEP team will decide if, when, and why the child will not be in the regular classroom. They will also talk about if, when and why, the child may be pulled out of the regular curriculum and other activities. The IEP team will decide what modifications are needed for the child to succeed in regular classes.

Parents need to understand why and how much their child will not be in the general classroom with children who do not have disabilities, learning what the other children learn. Parents also need to understand if, when, and why their child will not be in extra curricular and other nonacademic activities, such as lunch, recess, gym, art and music.

The IEP team will decide what kind of help the child may

need for state and school district tests.

The IEP team decides if the child cannot take the statewide tests. The team uses the Wisconsin Alternate Assessment Participation Checklist to decide if an alternate assessment is needed in each area of curriculum.

For the few children who cannot take district-wide tests, a different test is given.

Parents, as part of the IEP team, help decide what help their child may need to take the district or statewide tests.

A few children will take different tests called alternate assessments. Parents help decide when alternate tests are necessary. Alternate assessments might not be written tests. DPI has guidelines for alternate assessments. The school may also have guidelines for alternate assessments. Ask to see them.

The IEP says when the services and modifications will begin. The IEP also says how often, where and the amount of those services and modifications.

Parents are part of the IEP team that decides when services begin, where they are provided, how often they are provided, and how long they continue.

Transition planning must include the child's strengths, preferences and interests. The school invites the pupil to participate in the meeting. If the pupil does not come, the IEP team still must consider the child's strengths, preferences, and interests.

The IEP team writes measurable postsecondary goals. The pupil's course of study, coordinated set of activities, and annual IEP goals should lead to the pupil's measurable postsecondary goals.

The IEP team decides which classes and other activities will help the pupil reach the goals s/he would like to achieve after high school. Transition services may include instruction, related services, community experiences, the development of employment and other post-school living objectives, acquiring daily living skills, and functional vocational evaluation.

Transition is about preparing for life as an adult. Parents and their child are very important in transition planning. Parents, as well as their child, can contribute information to transition assessments. Parents should talk with their child about their strengths, preferences, and interests. Parents and youth can help the rest of the IEP team identify measurable goals that the pupil would like to achieve after high school.

Parents can encourage their child to come to the IEP team meeting and tell the rest of the IEP team what the child wants for life beyond high school, so classes and services can be selected.

**TIP:** Wisconsin Division of Vocational Rehabilitation (DVR) provides job and employment services for adults with disabilities. Call DVR to find out what it can offer young adults. Find your county DVR in the Resource Directory of the Wisconsin Statewide Transition Initiative (WSTI):  
[http://www.wsti.org/resource\\_directory.php](http://www.wsti.org/resource_directory.php)



**TIP:** Refer to WSTI Project website at:

<http://www.wsti.org>

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## **Topic What the Law Says What the Law Means**

### **Transfer of**

### **rights at**

### **age of**

### **majority**

Beginning at least one year before the child attains the age of 18, and annually thereafter, a statement that the child has been informed of the child rights that will transfer to the child on reaching the age of 18... 115.787(2)(g) 3

When a child with a disability, other than a child who has been determined to be incompetent..., reaches the age of 18, all of the following apply:

(1) The local educational agency shall provide any notice required by this subchapter to both the individual and individual's parents.

(2) All other rights accorded to the individual's parents under this subchapter transfer to the individual.

(3) The local educational agency shall notify the individual and the individual's parents of the transfer of rights. 115.807

When the child is 17 years old, the school will tell the child that next year he or she will legally be an adult.

When a child with a disability reaches the age of 18, all rights under special education law go to the adult pupil. Parents and the adult pupil both get notices. The LEA notifies both the adult pupil and the parents of the transfer of rights.

### **Extended school**

### **year services**

### **DPI Bulletin**

### **#96.01**

Local educational agency duties. A local educational agency shall demonstrate to the satisfaction of the division that it does all of the following:

(b) Makes available a free appropriate public education to children with disabilities as required by this subchapter and applicable state and federal law. 115.77(1m)(b)

(a)General. (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE...

(2) Extended school year services must be provided only if a child's IEP team determines, on an individual basis,...that the services are necessary for the provision of FAPE to the child.

(3) In implementing the requirements of this section, a public agency may not—

(i) Limit extended school year services to particular categories of disability; or

(ii) Unilaterally limit the type, amount, or duration of those services.

(b) Definition. ...the term extended school year services means special education and related services that--

(1) Are provided to a child with a disability--

(i) Beyond the normal school year of the public agency;

(ii) In accordance with the child's IEP; and

(iii) At no cost to the parents of the child and

(2) Meet the standards of the SEA

34 CFR 300.106

The school must give extended school year (ESY) services to children who need it in order to receive a free appropriate public education. ESY is special education and related services beyond the regular school year. The LEA may give ESY services during summer or other school breaks.

The LEA must give services that are listed in the IEP. The LEA cannot charge the parent for ESY services.

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## **What Needs To Be Done What Parents Need To Know or Do**

Schools tell pupils and families that at age 18 the pupil is legally an adult.

Schools inform adult pupils about their rights under special education law. Schools inform parents about the change.

Schools send notices to both adult pupils and their parents.

At age 18, the pupil is legally an adult. Schools send notices to both the adult pupils and their parents.

Some children may need guardianship because of their disability. Guardianship is a legal process. Parents need to consult an attorney for help with the process. Only a court can appoint a guardian. Guardians are appointed for persons who are unable to make decisions about their health, finances, and well-being.

Parents should inform the school if they are in the process of filing for guardianship or need more information about it.

If the child may need extended school year (ESY) services, the IEP team needs to discuss it. The IEP team decides if a child needs ESY services. ESY is not just for children with certain disabilities. A child may need ESY services one year and not the next. The IEP team looks at all appropriate factors. The IEP team considers whether the child's gains made during the regular school year are threatened if the LEA does not give ESY services. Each child is different.

The IEP team should look at:

- the extent of the disability;
- the extent of the skills lost or that may be lost;
- the time needed to relearn skills;
- whether parents can help;
- how quickly the child learns;
- skill just being introduced;
- the child's behavior and physical needs;
- emerging skills; and
- other appropriate factors.

This list is not all the things for the IEP team to consider. A child does not have to meet all of these items. Not one item controls the decision.

ESY services are:

- not always the same as regular school year services;
- sometimes just related services such as occupational therapy or physical therapy, and
- given in a variety of places such as home, school, or community.

The IEP team writes the ESY services into the IEP.

Parents can ask for extended school year (ESY) services by asking for an IEP meeting. The IEP team decides if ESY services are needed. The IEP team does not have to discuss ESY unless a participant on the team asks about it. Parents may want to talk about ESY services with the IEP team.

Parents can discuss their child's possible loss of skills.

Parents may look at the length of time it takes a child to regain skills after long vacation times from school.

Parents may have other information about their child that may help the IEP team.

**TIP:** It is most helpful for parents to ask about ESY well in advance of the school break.

**TIP:** If parents disagree with the IEP team decision about ESY, see Part 3, Problem Solving, page 42.

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## **Topic What the Law Says What the Law Means OTHER IEP CONSIDERATIONS**

### **Consider**

#### **child's**

#### **strengths and**

#### **evaluations**

In developing each child's individualized education program, the individualized education program team shall consider the strengths of the child, the concerns of the child's parents for enhancing the education of their child, the results of the initial evaluation or most recent reevaluation of the child, and the academic, developmental, and functional needs of the child. 115.787 (3)(a)

In writing an IEP, the IEP team will take into account the strengths of the child. The IEP team will listen to any concerns the parents have about their child's education. The IEP team will look at information from the latest evaluations of the child. The IEP team will look at the unique academic and nonacademic needs of the child.

The individualized education program team shall do all of the following:

**Behavior 1.** In the case of a child whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior. 115.787(3)(b)1

Some children have behaviors that do not allow

them to learn easily. Some children have behaviors that keep other children from learning. The IEP team must think about positive ways to help the child change behaviors so they can learn.

### **Limited**

### **English**

### **proficiency**

2. In the case of a child with limited English proficiency, consider the language needs of the child as such needs relate to the child's individualized education program.

115.787(3)(b)2

The IEP team must consider the special language needs of a child who has difficulties understanding and speaking English. The team must take these needs into consideration when writing the child's IEP.

### **Braille**

### **DPI Bulletin**

### **#98.04**

3. In the case of a child who is visually impaired, provide for instruction in Braille and the use of Braille unless the individualized education program team determines, after an evaluation of the child's reading and writing skills, needs and appropriate reading and writing media, including an evaluation of the child's future needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate for the child.

115.787(3)(b)3

If a child is visually impaired, the IEP team must look at providing instruction in Braille and the use of Braille. The IEP team will decide after testing of the child's reading and writing skills, see if the child needs, or would benefit from, special reading and writing media, or would have needs in the future for learning and using Braille. If the IEP team decides Braille is not appropriate for the child, it must state that in the IEP.

### **Communication**

### **needs**

4. Consider the communication needs of the child, and, in the case of a child who is hearing impaired, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode. 115.787(3)(b)4

The IEP team must consider the communication needs of the child. If a child is hearing impaired, the IEP team must consider the child's language and communication needs, and opportunities for

direct communication with peers and professional personnel. These needs must address the child's language and communication mode. The IEP team must consider the child's academic level and full range of needs, including opportunities for direct instruction in the child's language and mode of communication.

#### **Assistive technology**

5. Consider whether the child requires assistive technology devices and services.

115.787(3)(b)5

The purpose of assistive technology and assistive technology services is to make sure the child gets a Free Appropriate Public Education (FAPE). The IEP team must decide if the child needs assistive technology devices and services in their regular education classrooms or special education settings.

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#### **What Needs To Be Done What Parents Need To Know or Do**

The IEP team will consider the child's:

- strengths;
- the parent's concerns for enhancing the education of their child;
- the results of the initial evaluation or most recent reevaluation;
- the academic needs of the child;
- the developmental needs of the child; and
- the functional needs of the child.

Parents should be part of planning their child's educational program. They should ask questions and make suggestions. Parents should talk about what their child should learn and how to help the child learn. Parents should state what they think their child's strengths and weaknesses are.

The IEP team will look at what affects a child's behavior.

The school will examine if the behavior prevents other children from learning. The IEP team will develop a behavior plan to teach the child strategies to manage his or her behavior positively.

Parents may have ideas about what makes a child behave in a certain way. Parents may have ideas about how to help the child learn new behaviors.

The IEP team must look at the special language needs of each child when writing a child's IEP.

If the child does not speak or understand English well, the parents should make sure the school knows this. The IEP team will make sure the special language needs are in the IEP.

The IEP team must look at the need for providing Braille instruction and to teach the use of Braille to a child who is visually impaired. The IEP team will test the child's reading and writing skills. The IEP team will determine if the child would benefit, now or in the future, from the use of Braille. If the IEP team does not feel Braille is appropriate, they must write why it is not in the IEP.

If the child is blind or visually impaired, the parents may

want to talk with the IEP team about Braille and Braille instruction. With the parent's input, the IEP team will decide if Braille is appropriate for the child.

The IEP team must look at the communication needs of the child. If the child is hearing impaired, the IEP team must consider the child's:

- language;
- communication needs;
- opportunities for direct communication with peers and professional personnel;
- language and communication mode;
- academic level;
- full range of needs; and
- opportunities for direct instruction in the child's language and mode of communication.

Sometimes children have special communication needs.

Parents should tell the IEP team about how their child communicates best with friends and family. They should help the IEP team understand how the child communicates with others. If the child is deaf or hearing impaired, the parent and IEP team should look at what the child needs for communication.

The IEP team talks about any device (from a simple pencil grip to computerized equipment) that may help the child learn. The IEP team may get information from a specialist to help them with the child's needs. The IEP team talks about, and chooses services, to help the child get and use assistive technology devices. For example, the IEP team would talk about evaluating the child in the child's learning setting, getting equipment, and choosing, customizing, and repairing devices. They would talk about providing training on using the device too.

The IEP team must talk about using assistive technology.

Parents can tell about the child's skills with knobs, switches, computers, etc. and how any of these things may help the child in school. They can tell the IEP team about what the child can do at home and in the community.

**TIP:** Assistive Technology is an important topic. Parents may call WI FACETS at 1-877-374-4677 to get information. Information is also available from the Wisconsin Assistive Technology Initiative at 1-800-991-5576 or at [www.wati.org](http://www.wati.org) CESAs also have Assistive Technology staff.

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## **Topic What the Law Says What the Law Means**

### **Review and Revision**

REVIEW AND REVISION. (a) the individualized education program team shall do all of the following:

**Review** 1. Review the child's individualized education program periodically, but at least annually, to determine whether the annual goals for the child are being achieved.

The IEP team must reexamine and change a

child's IEP from time to time, at least once a year. The IEP team must decide if the child's annual goals are being accomplished.

**Revise 2.** Revise the individualized education program as appropriate to address all the following:

The IEP team must look at all of the following and revise if appropriate:

**Lack of progress**

a. Any lack of expected progress toward the annual goals and in the general curriculum.

The IEP team must see if the child is not making the expected progress toward achieving the annual goals, including progress in the general curriculum.

**Other information**

b. The results of any reevaluation...

c. Information about the child provided to or by the child's parents...

d. The child's anticipated needs

e. Other matters. 115.787(4)

In reviewing and rewriting, the IEP team must consider the results of any other information provided to them by anyone, especially the parents. The IEP team must consider the results of reevaluation information. The IEP team must see if there are any new needs expected within the coming year. The IEP team must look to see if anything else needs to be in the IEP.

**Changes to IEP without a meeting**

After the annual individualized education program meeting for a school year, the entire individualized education program team may make changes to the child's individualized education program, or the child's parent and the local educational agency may agree not to convene an individualized education program team meeting for the purpose of making changes to the child's individualized education program. If the child's parent and the local educational agency agree not to convene an individualized education program team meeting, they shall instead develop a written document to modify the child's current individualized education program. The local educational agency shall give the child's parent a copy of the child's revised individualized education program.

115.787(4)(c) The public agency must ensure that the child's IEP Team is informed of those changes. (34CFR 300.324 (a)(4)(ii).

The IEP must be reviewed and revised if needed by the whole IEP team each year. If changes are needed after that meeting, the changes can be

made by either the whole IEP team or some members of the team and the parents without a meeting, if they agree. If the parents and school agree to make changes without a meeting, the school must send the parents the changes that were made in writing.

The school must also send a copy of the changed IEP.

The school must record how they informed the rest of the IEP team of the changes made in the IEP.

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### **What Needs To Be Done What Parents Need To Know or Do**

The IEP team must meet together to look at a child's IEP from time to time, at least yearly, to decide if the child is making progress in his or her annual goals.

The IEP team must meet at least once every year to review and revise the IEP. Parents will be given a report on how well their child is reaching IEP goals on a schedule the IEP says. Parents can ask the IEP team to change the IEP if needed. The IEP team will meet to talk about the changes.

The IEP team looks at all of the following and rewrites the IEP if appropriate:

As a member of the IEP team, parents help to rewrite the IEP. They should tell the IEP team about changes in their child. They should help the IEP team to understand what needs to be worked on for the next school year.

The IEP team must look at the child's IEP to see if there has been any area where the child has not made gains as written in the IEP, which includes the regular education setting.

Parents can ask questions and bring suggestions to the team. Parents can look at the child's IEP to see if there has been any area where the child has not made gains as written in the IEP, which includes the regular education setting.

The IEP team must look at information the parents provide. The IEP team must look at any current information that is available to them regarding the child's IEP. The IEP team must look at reevaluation information. The IEP team must look to see if there are any new needs that must be addressed.

**TIP:** Here's information you can bring:

- Do you know of anything that needs to be looked at in your child's IEP?
- Is there anything new that needs to be added?
- Do you know of anything that needs to be worked on for the coming year?

If the parents and school agree to make changes to the IEP without a meeting, the changes need to be put in writing and sent to the parents. The school has to inform the rest of the IEP team about the changes made to the IEP and keep a record of informing the team.

Parents do not have to agree to make changes to their child's IEP without a meeting. If it is not a big change, parents may want to agree to make the changes without a meeting, if they agree with the changes. This will save a meeting.

The school has to let the rest of the IEP team know what changes



were made and keep a record to show this was done.

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## **Topic What the Law Says What the Law Means**

### **PLACEMENT**

#### **Placement**

##### **decision process**

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that—

(a) The placement decision—

(1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

(2) Is made in conformity with the LRE provisions of this subpart, including §§ 300.114 through 300.118;

(b) The child's placement—

(1) Is determined at least annually;

(2) Is based on the child's IEP; and

(3) Is as close as possible to the child's home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

(d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

(e) A child with a disability is not removed from education in age appropriate regular classrooms solely because of needed modifications in the general education curriculum. 34 CFR 300.116

Decisions about the placement of a child with a disability must be made by a group of people. In Wisconsin, that group is the IEP Team.

Placements must meet the requirements for least restrictive environment (LRE).

Placement must be decided at least once a year and must be based on the child's IEP. The placement must be as close to the child's home as possible.

Unless the child's IEP requires something else, the child is educated in the school the child would attend if not disabled.

When the IEP team selects the least restrictive environment, it must consider any possible harmful effects on the child or the quality of the services the child needs.

A school cannot remove a child from the regular classroom just because the child needs to have the curriculum modified.

#### **Least**

##### **restrictive**

##### **environment**

(a) *General*

(2) Each public agency must ensure that—

(i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and  
(ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. 34 CFR 300.114  
Children with disabilities must be educated with nondisabled children as much as is appropriate. Children with disabilities are removed from regular classes to special classes or separate schools only if the child's disability is so severe that education in regular classes with aids and services is not satisfactory.

**Continuum of  
alternative  
placements**

(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must—

(1) Include the alternative placements listed in the definition of special education under § 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and

(2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement. 34 CFR 300.115

Each school district must have a range of alternative special education placements available including:

- Instruction in regular classes
- Special classes
- Special schools
- Home instruction
- Instruction in hospitals and institutions

Schools must provide for supplementary services like resource rooms or itinerant instruction to be used with instruction in regular classes.

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**What Needs To Be Done What Parents Need To Know or Do**

The IEP team decides on the special education placement for a child with a disability.

Placement decisions must meet the requirements for LRE.

Each child's placement must be decided at least once a year. The child's placement is based on the IEP.

Placement must be as close as possible to the child's home.

Unless the child's IEP requires something else, the

placement must be in the school the child would otherwise attend.

In deciding on a placement, the IEP team has to consider any harmful effects on the child and on the quality of services the child needs.

Children with disabilities cannot be removed from regular classes only because modifications are needed in the general curriculum.

In Wisconsin, the IEP team, which includes the parent, decides the educational placement.

The IEP team has to think about many things in deciding on a placement. The IEP team must consider the LRE requirements (see next topic).

The placement must be decided at least once a year. The services are based on the IEP and provide an appropriate education. The placement must be as close to the child's home as possible. Unless the child needs something else, the child should be educated in the school the child would attend if he did not have a disability. Sometimes the IEP cannot be carried out at the school the child would attend if he did not have a disability. Then the services must be at the closest possible school where the IEP can be carried out.

The team considers how the child will do and how well services can be delivered in the environment or school chosen.

A school cannot remove a child from the regular classroom just because the child needs to have the curriculum modified.

The school must be sure that children with disabilities are educated with children who are not disabled as much as is appropriate.

Children with disabilities are removed from regular classes to special classes or special schools only if the child's disability is so severe that education in regular classes with supplementary aids and services is not satisfactory.

Most children with disabilities should be educated with nondisabled children their own age. This includes children in institutions or other care centers.

Children with disabilities can be removed from the regular classroom when the child's needs are so great they cannot be met in the regular classroom even with extra help.

The district must have a range of alternative placements available, including:

- Instruction in regular classes
- Special classes
- Special schools
- Home instruction
- Instruction in hospitals and institutions

School districts must provide for supplementary services, like resource rooms or itinerant instruction, to be used with instruction in regular classes.

Each district must have a range of options available to be able to implement the IEPs for all children in the district.

School districts must provide for supplementary services, like resource rooms or itinerant instruction, to be used with

instruction in regular classes.

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## **Topic What the Law Says What the Law Means**

### **Nonacademic settings**

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 300.107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings. 34 CFR 300.117

Each district must be sure that every child with a disability participates with nondisabled children in extracurricular services and activities to the maximum extent appropriate to the needs of the child.

Examples of these activities include:

- Lunch,
- Recess,
- Counseling,
- Athletics,
- Transportation,
- Recreational activities, and
- Health services.

The district must be sure that each child with a disability has the supplementary aids and services appropriate and necessary for the child to participate in nonacademic settings, as determined by the IEP team.

### **Consent for placement**

A local educational agency shall seek to obtain informed consent from the parent of a child with a disability before providing special education and related services to the child. If the parent of a child with a disability denies consent, the local educational agency shall not provide special education and related services to the child.

115.79(2)

Before the school can start special education for the first time, it must get written consent from the child's parents.

### **Effect of refusing consent for placement**

If the parent of a child with a disability denies

consent or does not respond to a request for consent, all of the following apply:

(a) The local educational agency is not in violation of the requirement to make available to the child a free appropriate public education.

(b) The local educational agency is not required to convene an individualized education program team meeting or to develop an individualized education program for the child for the special education and related services for which the local educational agency sought consent.

115.79(2)

If a parent refuses consent for special education services, the school is not required to make an appropriate education available to the child. The school does not have to have an IEP team meeting or write an IEP for the child.

## **TRANSFER**

### **PUPILS**

#### **WITHIN STATE**

DPI bulletin

#00.10

(e) *IEPs for children who transfer public agencies in the same state.* If a child with a disability (who had an IEP that was in effect in a previous public agency in the same state) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous public agency) until the new public agency either-

(1) Adopts the child's IEP from the previous public agency; or

(2) Develops, adopts, and implements a new IEP ...

34 CFR 300.323(e)

When a pupil transfers from one district to another within Wisconsin, the pupil must get special education services, without interruption. Services must be like the services in the IEP from the other school, as much as possible. Services must be provided until the new school either adopts the previous school's IEP or develops a new IEP.

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## **What Needs To Be Done What Parents Need To Know or Do**

As much as is appropriate based on the child's needs, schools must help children with disabilities participate in nonacademic and extracurricular services with children who are not disabled. Examples of these activities include:

- Lunch,
- Recess,
- Counseling,
- Athletics,
- Transportation,

- Recreational activities, and
- Health services.

Parents may think about what nonacademic and extracurricular activities are appropriate for their child. Children with disabilities should participate in those activities with nondisabled children as much as is appropriate. Some of these activities are lunch, recess, and afterschool activities. The IEP team determines which supplementary aids and services are needed for the child to participate.

The school sends a notice to the parents and asks for consent for placement before it starts special education. After special education is started, the school does not need to get consent for special education placement again. Parents give consent if they want their child to have special education services to be provided. If they do not want their child to have special education, they refuse consent. If parents disagree with the IEP or placement proposed by the school, see Problem Solving on page 42.

When a parent does not give consent for special education, the school does not have to have an IEP team meeting or write an IEP.

Parents have the right not to give consent for special education services. If parents do not consent, their child will not receive special education.

The child's new school must get the current IEP and evaluation from the old school. Special education must start right away.

The new school will review the most recent evaluation, eligibility determination, and IEP. The IEP team may evaluate to see if the child is eligible. Until the evaluation is done and a new IEP is written, the school will provide services as close as possible to the old IEP.

Be sure to tell the new school your child received special education. It will help the school if parents bring their child's IEP to the new school. Bring a copy of the most recent evaluation. Bring the phone number of your old school.

The new school must let your child start school right away. The new school must provide special education to your child right away.

Give the new school your child's most recent evaluation and IEP. You should participate in any meetings about your child's evaluation, eligibility, IEP, or educational placement.

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## **Topic What the Law Says What the Law Means TRANSFER**

### **PUPILS**

#### **FROM OUTSIDE**

#### **WISCONSIN**

*(f) IEPs for children who transfer from another State. If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a public agency in a new*

State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency-

- (1) Conducts an evaluation...(if determined to be necessary by the new public agency, and
- (2) Develops, adopts, and implements a new IEP, if appropriate... 34 CFR 300.323(f)

When a pupil transfers from a school outside Wisconsin, the new school must enroll the child right away. The school must continue the child's special education.

The services must be as close as possible to what was in the IEP in the other state. The school must continue providing services under the old IEP until it does an evaluation and new IEP, if needed.

## **REEVALUATION**

### **Reasons for reevaluation**

A local educational agency shall ensure that the individualized education program team does all of the following:

1. Evaluates a child with a disability in accordance with this section before determining that the child is no longer a child with a disability...
2. Reevaluates a child with a disability ... if the local educational agency determines that the educational or related services needs of the child, including the child's academic performance warrant a reevaluation or if the child's parent or teacher requests a reevaluation,...but at least once every 3 years... 115.782(4)(a)

Reevaluation must be done by an IEP team before removing a child from special education.

The school reevaluates the child at least every three years. A parent or teacher may ask for a reevaluation any time. Reevaluation does not always mean giving tests. The IEP team reviews existing information and decides if new tests are needed.

### **No more than 1 reevaluation per year**

...The individualized education program team shall reevaluate a child no more frequently than once a year unless the child's parent and the local educational agency agree otherwise, and at least once every 3 years... 115.782(4)(a)2.

A school is not required to do a reevaluation more than one time a year, even if the parent asks for one, but must do a reevaluation at least once every three years.

### **If reevaluation is**

**not necessary**

...The individualized education program team shall reevaluate a child...at least once every 3 years unless the child's parent and the local educational agency agree that a reevaluation is not necessary.

115.782(4)(a)2.

If the school and the parents agree that there is no need to do a reevaluation, the school does not have to do one.

**Consent** The local educational agency shall obtain informed consent from the child's parent before reevaluating a child with a disability, except that such consent need not be obtained if the local educational agency has taken reasonable measures to obtain such consent and the child's parents have failed to respond. 115.782(4)(b)

The school must get the parent's informed written consent before any new testing is done. The school can go ahead with the testing if a parent does not respond to the request for consent. The school must show that they tried to get the consent from any parent who doesn't return the consent form.

**If Testing is**

**Not Needed**

If the [IEP] team and other qualified professionals, as determined by the local educational agency, find...that no additional data are needed to determine whether the child continues to be a child with a disability, the local educational agency shall notify the child's parents of that finding and the reasons for it and the right of the child's parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs. The [LEA] is not required to conduct such an assessment unless the child's parent requests it.

115.782(4)(c)

Reevaluations must be done at least every three years. The IEP team, which includes the parent, decides whether or not more testing is needed. The school must tell the parents, in writing, about this decision. If the IEP team decides no additional testing is needed, they must also explain why they decided not to do the testing. Parents have the right to have additional testing in a reevaluation, if they think it is needed.

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**What Needs To Be Done What Parents Need To Know or Do**

The child's new school must get the current IEP and evaluation from the old school. Special education must start right away.

The new school will review the most recent evaluation, eligibility determination, and IEP. The IEP Team may evaluate to see if the child is eligible. Until the evaluation



is done and a new IEP is written, the school will provide services as close as possible to the old IEP.

Be sure to tell the new school your child received special education. It will help the school if parents bring the old IEP to the new school. Bring a copy of the most recent evaluation. Bring the phone number of your old school. The new school must let your child start school right away. Give the school the most recent evaluation and IEP. You should participate in any meetings about your child's evaluation, eligibility, IEP, or educational placement. The school will send a notice about the reevaluation. The IEP team reviews existing information and decides if new testing is needed. The notice will say why the reevaluation is needed. Reevaluations happen:

- 1) if the parents or teacher asks for a reevaluation;
- 2) for a regular 3-year reevaluation; and
- 3) when school staff thinks the child no longer qualifies for special education.

Reevaluations follow the same procedures as evaluations. See Evaluation Procedures on page 18.

If the parent thinks the child does not need special education any more, they should ask for a reevaluation. They should say why they think the child does not need special education. If the child's needs change, parents or school staff can ask for a reevaluation.

The IEP team will do a reevaluation. Parents are equal partners on the IEP team. The IEP team decides when a child no longer needs special education.

Reevaluations follow the same procedures as evaluations. See Evaluation Procedures on page 18.

If a teacher or parent asks for a reevaluation less than a year after the last one, the school does not have to do one. The school sends the parent a notice explaining it will not do the reevaluation, unless the school and parent agree that one should be done.

If there are special reasons, parents may ask for a reevaluation more than once a year. The district does not have to agree to do a reevaluation more than once a year. The school sends a written notice to the parent saying when and how the school and parents agreed that a reevaluation is not needed.

Parents can agree if the school thinks a reevaluation is not needed. If the parents think a reevaluation is needed, they do not have to agree. Parents can also suggest to the school that a reevaluation is not needed.

The school must get written parent consent to do testing to determine if the child continues to be eligible for special education. If the parents do not respond to the request for consent, the school may go ahead with the testing.

The school must get the parents' written consent before doing any new testing. If parents agree to the testing, they should sign the consent. If they have questions about it, they should ask the school.

If the parents say they do not want new testing, the school may ask for mediation or a due process hearing to allow the testing.

The school will notify the parent if the IEP team decides that testing is not needed as part of the reevaluation.

See also: Evaluation Procedures

Sometimes the IEP team will feel more testing is not needed. Then, the school must tell the parents why. The parents still have a right to ask for testing to be done. They should ask for testing in a letter.

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## **PART 2: OTHER SCHOOL CHOICES**

**Introduction** There are a number of choices about where a child goes to school. There are several choices other than traditional public school.

**Charter Schools** A charter school is a public school. It is tax supported, and it must follow the IDEA.

Student selection in a charter school may depend on the focus of the school. For example:

- A charter school that focuses on advanced academics will select students who can be successful in that program.
- A charter school that focuses on vocational education will select students who want to learn to do a specific job the school teaches.

In each case, the charter school must accommodate any student with disabilities who can do the program.

**LEA Placement in** Sometimes a child's needs are so great, or so unusual, the LEA cannot meet them.

**Private Schools** Then the IEP team may decide to send the child to a private school that specializes in

that child's needs. The school must meet DPI requirements for private schools.

The IDEA is followed in providing special education and related services for the child.

The IEP and all other parts of the special education process are followed.

The LEA pays for the private school and any related expenses such as transportation from the child's home to and from the private school. The LEA is responsible for making sure the child's IEP is being carried out correctly.

**Parent Placement** Parents may decide that a private school will meet their child's needs best. A

**in Private School** private school is a school that is not tax supported. Parents pay tuition for their child

to attend a private school. A private school can choose the students who attend the school. Private schools do not have to follow IDEA.

Parents have a right to choose to send their child to a private school. If parents choose to send their child to a private school, there may be no special education services from the district or the services may be limited. The district must offer FAPE in the public school, but the child does not have an individual right to special education or related services in a private school. In consultation with representatives of private schools and parents of private school children, the district where the private school is located decides what services it will provide, which children will be served, and how and where they will be served. The district must spend a part of its federal special education money on this group of children. Each private school child being served by a district also has a *Services Plan* that lists any services the district will provide

(transportation, speech, etc.). See DPI Bulletin #06.03 for more information.

**What If Parents** If parents disagree with the child's Services Plan, they cannot use a due process

**Disagree?** hearing or mediation to solve the problem. If parents disagree with the child's evaluation or eligibility decision, they can request mediation or a due process hearing to solve the problem. If parents believe the district did not follow the laws relating to private school children, they may file a written IDEA complaint with DPI. Parents can also use the informal methods of solving problems described in Part Three: Problem Solving.

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**District Pays** If a child was enrolled in special education in the district, and if parents decide to send

**For Private** the child to a private school because they think the district did not provide FAPE, a

**School If FAPE** hearing officer or a court can look at the situation and may require the district to pay

**Not Provided** for the child to go to the private school. In order to win such a case, in most cases,

parents must notify the school district in advance of their decision before they remove their child from public school. Parents should do so in writing, with an explanation of why they believe the public school did not provide FAPE to their child.

**Homebound** Homebound schooling is an option for a child with a disability who cannot go to

**Schooling** school because of medical problems. For example, a child needing a long recovery

time after surgery or a child who is very weak due to chronic illness may receive homebound schooling. Homebound schooling is not intended as a way to simply keep children with behavior problems out of school.

**Home-based or** Home-based schooling, or home schooling, is a parent choice to educate the child at

**Home Schooling** home. If the district gets a written referral for a home-schooled child with a suspected

disability, they must accept the referral and evaluate the child. If the child is found to be a child with a disability, the school must make free appropriate public education available in the public school.

If parents decide to keep the child in home-based schooling, the district has no responsibility for providing any education services. However, a school district must allow a child in a private school or in a home-based education program to take up to two high school courses each semester if:

- the child is a resident of the district;
- the child meets the standards for high school; and
- the school board decides there is enough space in the classroom.

**Child Find** The school district is required to identify children with disabilities attending private

schools in the district, including religious schools. So, any child suspected of having a disability could be referred to the school district for evaluation. The school district will gather an IEP team including staff from the public and private schools, parents,

and others. The district also has an obligation to find other children with disabilities who live in the district.

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## **PART 3: PROBLEM SOLVING**

### **Introduction**

Parents and schools have a “built-in” partnership with the child as the focus. This partnership will grow when parents and school staff work together. Disagreements may happen, but disagreements can also help to make the child’s education better. Disagreements that get solved happily make the parent/school relationship stronger.

### **INFORMAL MEETING**

#### **What to do when issues arise?**

- When issues arise, talk directly with the people involved as soon as possible.
- First, you can call to schedule an informal meeting to discuss the situation.
- Second, you can prepare for the meeting by making a list of issues and some possible solutions.

#### **What can you do in the meeting?**

- See if you can agree on the issue(s) that must be addressed.
- Listen actively to understand the other person’s perspective.
- Communicate your concerns clearly. Use notes to keep you and the meeting on track and focused on the child.
- Ask questions or restate so you and others are clear in your understanding.
- Work together to suggest some possible options to resolve the issue(s).
- Analyze all of the options to see if you can find areas of agreement.
- Discuss what should happen next.

#### **What about dealing with emotions in the meeting?**

- Try to explain your emotions calmly, and describe what your concerns are about the future to the other participants.
- Ask someone to come with you to the meeting to help you stay focused positively.
- If, by chance, you make a mistake or cause offense, say you are sorry. An apology can go a long way to resolving the situation.

#### **What if the issues are not fully resolved in the meeting?**

- Consider scheduling another informal meeting with different or additional people.
- Call others for suggestions on possible future action.
- Call the Wisconsin Special Education Mediation System, 888-298-3857 (toll-free voice) or 262-538-1618 (TTY) or seek information on the WSEMS website at: <http://www.wsems.us> A facilitated IEP meeting or mediation could be helpful.

**Next Steps: What can be done if informal ways of solving problems don’t work?**

Parents and the school can use one or more of the formal problem solving methods.

Schools must tell

parents about these formal ways to solve problems:

- Independent Educational Evaluations (IEEs),
- Facilitated IEP,
- Mediation,
- IDEA State Complaints, and
- Due process hearings.

These formal ways to solve problems can help the school and the parent to talk together.

Schools and

parents should try the informal methods first and should use the formal methods if the informal methods don't work.

Before using any of these formal problem-solving methods, parents should understand how they work

and with which types of problems they work best. Other parts of this book give information about

independent educational evaluations, special education mediation, IDEA State Complaints, and due process hearings.

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Before using these formal problem-solving methods, many parents find it helpful to talk to someone at

WI FACETS or someone with another support group. Check the list of resources in the back of this

book. Help is often free of charge.

### **INDEPENDENT EDUCATIONAL EVALUATION (IEE)**

(34 CFR 300.502)

DPI Bulletin # 99.02

An evaluation done by qualified people outside of school is called an independent educational evaluation,

or IEE. If the parents do not agree with the evaluation and testing done by the school district, they can

request that the school pay for an IEE. A parent may only have one IEE for each evaluation done by the school district.

The district must tell parents where they can get an IEE when the parent asks. The school also must tell

the parents about the school's IEE criteria. Parents can pick who will do the IEE, but the people who do

the IEE must be at least as qualified as the person doing the testing for the school.

Districts can set up

policies or criteria for IEEs. The school's criteria can say who can do IEEs and where IEEs can be done.

The criteria must be the same as what the district uses when it has its own evaluator do evaluations.

When a parent asks for an IEE (in writing is best) at district expense, the district has two choices.

Without unnecessary delay, the district must either pay for the IEE or file for a due process hearing to argue that its evaluation was appropriate or that the IEE did not meet the criteria of the law.

If the district goes to a due process hearing and the hearing officer says the district is right, the parents may still have an IEE done, but then the parents pay for it.

No matter who pays for an IEE, parents can bring the results to the IEP team. The IEP team must talk

about the results of the IEE as it makes special education decisions.

Parents can also use the results of an IEE they paid for in a due process hearing. If a hearing officer

orders an IEE as part of a due process hearing, the district must pay for it.

### **FACILITATED IEP**

A facilitated IEP (Individualized Education Program) is an option for early conflict resolution that is

available to parents and schools. A facilitated IEP uses a neutral trained professional to help the IEP

team with the process of deciding what will be included in the IEP. This facilitation may take place

at any IEP team meeting.

The facilitated IEP option is voluntary. If either the parents or school do not want to use a facilitator,

the IEP meeting will be conducted without one.

The process is free. WSEMS (Wisconsin Special Education Mediation System) pays the facilitators

with Wisconsin Department of Public Instruction grant funds.

DPI supports the Wisconsin IEP facilitation system. DPI supports an increase in the number of options available to parents and schools to resolve their disputes. Such options will assist the parties in building long lasting, trustful and collaborative relationships.”

*-Dr. Stephanie Petska, Director, Special Education Team, Wisconsin DPI*

Early processes such as expert IEP facilitation . . .to increase collaboration and problem solving skills of school staff and parents can help avoid expensive disputes and promote efforts to help students.”

*-The President’s Commission on Excellence in Special Education*

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### **Why would I want to participate in a facilitated IEP?**

A facilitated IEP is used to help when the school and family think an IEP meeting will be difficult to

manage due to lack of trust or communication problems. A facilitated IEP is most effective when

requested in the very beginning of the IEP process.

### **How do I request a facilitated IEP?**

The parent, guardian, adult student, school representative, or both parties may decide a facilitator is

needed to help with the IEP meeting. Call WSEMS, 888-298-3857 (toll-free voice) or 262-538-1618

(TTY) to request a facilitated IEP.

**Is the facilitator a part of the IEP team?**

The neutral facilitator is not part of the IEP team. The role of the facilitator is only to help the group

work together. Only the IEP team makes program decisions (not the facilitator).

**Who are the facilitators?**

WSEMS has a list of skilled facilitators. They come from many backgrounds - law, social work,

psychology, and business. Each facilitator has been well trained in effective communication.

**Where and when is a facilitated IEP meeting held?**

The facilitated IEP meeting is usually scheduled by the school district. The meeting is held at a time

and place that is acceptable to all IEP team members, including the parents.

**What is the role of the facilitator?**

The facilitator:

- Helps IEP team focus on developing an effective IEP.
- Guides the discussion by keeping the team's energy centered on the student.
- Offers ways to address and resolve conflicts in the development of the IEP.
- Models and helps maintain open, respectful communication among team members.
- Helps team members develop and ask clarifying questions about issues that may have come up in past IEP meetings.
- Helps to keep team members on task and within the time scheduled for the meeting.
- Maintains impartiality and does not take sides, place blame, or determine if a particular decision is right or wrong.

**MEDIATION**

(Wis. Stat. 115.797)

DPI Bulletin # 98.07

**What is Mediation?**

Mediation is facilitated negotiation. A neutral party, a mediator, helps parents and school districts

resolve their disputes in an informal meeting. Mediation is voluntary. The parent(s), school district or the

mediator may end the mediation at any time. The mediator does not make a decision for the parties, like

a judge or a due process hearing officer. The mediator helps the parties do the following: identify issues,

discuss viewpoints, generate options, and create solutions agreeable to all. When the parties resolve all

or some of the issues, they work together to write an agreement. They both sign the agreement. Parties

may ask an attorney to review the agreement before signing. If the parties are not comfortable with the agreement, they should not sign it. The signed agreement is a contract and is legally binding.

Mediation does not delay or deny the right to a due process hearing. Mediation encourages mutual respect, promotes communication and contributes to a more positive working relationship in the future.

**“The staff person leading the IEP meeting is able to be free to be the expert in raising and discussing educational issues.**

**The IEP facilitator was responsible to guide the negotiation and consensus building aspect of the IEP session.”**

*- Facilitator*

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### **What is a Request for Mediation Form?**

A form is available from the Wisconsin Special Education Mediation System (WSEMS) at 888-298-3857

(toll-free voice), 262-538-1618 (TTY) or at: <http://www.wsems.us> The form is simple to complete. The

person(s) requesting mediation describes the issues and signs the form. The WSEMS intake coordinator

can provide assistance in completing the form.

### **How Is Mediation Requested?**

A request for mediation form is filled out:

- Together: after discussing the issues, the parents (or guardian or adult student) and the school

representatives may decide they need a neutral person to help them to resolve the issues. This

is called a joint request.

OR

- Individually: a parent, adult student, or school representative may request mediation.

### **What Happens if a Parent Requests Mediation Individually?**

WSEMS notifies the other person identified on the request form. The intake coordinator explains the

mediation process and finds out if the non-requester would like to try mediation. The non-requester is not

required by law to participate in mediation. The mediation process is voluntary. The non-requester has

five business days to decide whether or not to participate.

### **Who Pays for Mediation?**

Mediation is a free process for both parents and schools. WSEMS pays the mediators with grant funds

from the Wisconsin DPI. However, participants in the system must pay for their own attorney's fees, if

any.

### **When is Mediation Helpful?**

Mediation is a process that is right when there is:



- An ongoing relationship between family and school representatives
- A need for privacy
- A need for creative and flexible solutions

Under special education law, mediation may be used for disputes involving:

- Identification
- Evaluation
- Individualized education program (IEP)
- Placement
- Free appropriate public education (FAPE)

Mediation is most effective when used early in a dispute.

### **Who May Participate in Mediation?**

Wisconsin law provides that those who may participate are the parent(s) (or adult student or guardian)

and two school district representatives. However, others may participate - with the permission of the

parents and school representatives. Other participants may include:

- Advocate
- Attorney
- Relative
- Psychologist/Psychiatrist
- Social worker
- Minister, priest, rabbi
- Family friend
- Doctors or other medical providers

Participants may request a break at any time during the mediation session to talk with someone not

present in the session by telephone or in person.

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### **Who Are the Mediators?**

WSEMS, along with the Wisconsin Department of Public Instruction, has a list of well-trained mediators.

The mediators come from a wide range of professional backgrounds, including law, psychology, social

work, business and education. There is no advantage or disadvantage to having a lawyer or non-lawyer

mediator. Each mediator has completed a five day training on special education mediation. Each is also

required to complete one day of training each year in order to remain on the list.

After the parties agree to participate, WSEMS appoints a mediator. If one (or both) party objects to the

mediator, then WSEMS appoints a different mediator. Either party may request a specific mediator. A

mediator who is not on the list may be used, but at the parties' expense. The intake coordinator asks both

parties a few standard questions about the case and, along with the mediation director, matches the needs

of the individual case to the training, education, experience and personality of a particular mediator.

### **What About the Law?**

The Individuals with Disabilities Education Act (IDEA) is the federal law designed to assure that children with disabilities receive a free appropriate public education (FAPE). The IDEA requires that all states offer mediation as a voluntary option. State law creates the mediation to be offered as an option in Wisconsin. DPI Information Update Bulletin # 98.07 describes the mediation system in detail.

### **The Mediation Session**

#### **Before Starting:**

- The session is held within 21 business days after the mediator is agreed upon by the participants.
- The mediator works with the participants to find a convenient location, date, and time to meet.
- Mediations may be held in libraries, community centers, the school, school district offices, attorneys' offices, or other locations agreeable to the participants.
- The mediator helps the participants decide who else may be present at the session.

#### **The Day Has Arrived:**

- Everyone sits around a table with the mediator in a relaxed, informal manner.
- The mediator explains the agreement to mediate and then asks the parties to sign it.
- The mediator explains the mediation process and the mediator's role.
- The mediator asks each participant to explain his or her viewpoints on the situation.
- The mediator may ask questions to clarify, brainstorm, or create options.
- Typically, there will be no audio, video or written record of the session.
- Anyone may ask the mediator for a break at any time, or the mediator may decide to call for a break.
- A mediation session may last from one hour to one day. The parties are asked to agree to a general schedule before the session begins. Sometimes more sessions are needed.
- The parents and school district representatives work together to write down how they have decided to resolve their dispute. They both sign this written statement, which is called the mediation agreement. A participant may, at his or her own cost, have a lawyer review the agreement.

#### **After the Session:**

All participants are asked to complete a survey about the session. The information is given anonymously and remains confidential. The survey helps WSEMS to measure how the mediation process is working.

### **IDEA STATE COMPLAINTS**

(34 CFR 300.151)

Parents can use an IDEA State Complaint when they think the school has not followed special education

law. Districts must tell parents about their right to file an IDEA complaint. Any person

(parent, teacher,

and other people) or organization can file an IDEA State Complaint. An individual or organization must

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file the complaint within one year of the alleged violation. IDEA State Complaints are sent to DPI for

investigation.

An IDEA State Complaint says how the district has violated special education law. An IDEA State

Complaint must be in writing, signed, and must tell the facts about how the law might have been broken.

DPI has a form that can be used for filing complaints. It can be found at:

<http://www.dpi.wi.gov/forms/doc/f2117.doc> If the complaint alleges violations regarding a specific

child, it must include the child's name and address and the name of the school the child is attending. The

complaint must also include a proposed resolution of the problem, to the extent known by the person

making the complaint. A copy of the complaint must be sent to the district at the same time it is sent to

DPI.

The district must have an opportunity to respond to the complaint, including a proposal to resolve the

complaint. The district and parent can agree to use mediation to resolve the complaint.

The DPI must

investigate the complaint. Generally, DPI will look at records and talk to people by phone. If necessary,

DPI staff will visit the school.

DPI must make a decision on the complaint within 60 days of getting it. DPI's decision will tell the facts

and will tell whether or not the district has broken the law. Sometimes, DPI will extend the 60-day limit

to finish the investigation.

If a parent files an IDEA State Complaint and requests a due process hearing on the same issues, DPI

will not investigate the issues until the hearing and any appeals are over. The decision in the due process

proceedings will be binding. If the parent and the school decide on mediation, DPI may extend the

investigation of the IDEA State Complaint until the mediation is over, if the parent and the school agree

to the extension. The parent may withdraw their IDEA State Complaint at any time before DPI makes a

decision.

If DPI finds that a district did violate the law, the district must make a plan to fix the problem. This is called a Corrective Action Plan, or CAP. If the person filing the complaint wants to know what is in the

CAP, a copy can be requested from DPI.

To find out more about filing an IDEA State Complaint, call WI FACETS at 877-374 - 4677 or call DPI

at 608/266 - 1781 or 800/441- 4563 for help in filing an IDEA State Complaint.

Complaints must be in writing and signed and should be sent to:

Assistant Superintendent

DPI Division for Learning Support: Equity and Advocacy

PO Box 7841

125 S. Webster St.

Madison, WI 53707-7841

### **DUE PROCESS HEARINGS**

(WI Ch. 115.80)

A due process hearing is a legal process used by parents and districts to decide issues. It is usually used

when every other attempt to solve the problem has failed. Due process hearings can be used for

problems with evaluations, IEPs, educational placement decisions, or FAPE. Schools may request a due

process hearing if a parent of a child in public school refuses to give consent to evaluate.

The district can

also file for a due process hearing if it feels it should not pay for an IEE. Parents may file a request for a

due process hearing on any issue related to the IEP process or FAPE. A request for a due process hearing

must be filed within one year of when the party knew or should have known about the action that forms

the basis of the request for a hearing.

Schools must tell parents how to ask for a due process hearing. Parents can also call DPI at 608/266-

1781 or 800/441-4563 to ask for a form or print one from the DPI website at:

<http://www.dpi.wi.gov/forms/pdf/pod2115.pdf> They would fill out the form and send it to the school

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district with a copy to DPI. The form will ask for information on the problem and will ask for ideas to

solve the problem.

When DPI receives a request for a due process hearing, a hearing officer is named from a list. The

school cannot ask for a specific hearing officer; neither can the parents.

Schools usually have lawyers representing them at due process hearings. Schools can use experts from

the school or can use any other expert to support the school's side. Parents may use a lawyer to represent them and their child at a due process hearing, or they may represent themselves at the hearing. DPI will send parents a list of agencies that may provide a free or low-cost lawyer. Parents can also use experts to help support their case.

### **Resolution Process/Meeting**

Before a hearing can be held, there must be a chance for a resolution meeting, if the parent requested the due process hearing. A resolution meeting is an informal meeting with the school and parents to try to settle the problem. The school must schedule the resolution meeting within 15 days of getting the parent's hearing request. They can use a facilitator from the WSEMS at the resolution meeting, if they agree. If the problem is not settled within 30 days, then the hearing can happen. The school and parents can agree not to have a resolution meeting and go directly to a hearing. They can agree to use mediation instead of a resolution meeting.

### **What is the resolution process/meeting?**

- An option for dispute resolution required to be made available whenever a due process hearing has been requested by a parent.
- The resolution process is an informal meeting between the school and parents to give them an opportunity to resolve the specific dispute that is the basis of the due process hearing request.
- The resolution meeting may be held with or without the help of a facilitator.
- Facilitators are available from WSEMS.

### **Is there a fee for facilitation?**

- No.
- Facilitation services from WSEMS for the resolution meeting are free to parents and schools.

### **How to request a facilitator?**

- Call WSEMS, 888-298-3857 or 262-538-1618 (TTY).
- If either the parents or school do not want a facilitator, one will not be provided.

### **May the meeting be waived?**

- Yes - but, the parents and the school district must both agree in writing to waive a resolution meeting.
- They must sign a written waiver and either use the mediation process or go on to a due process hearing.

### **Who may participate in a resolution meeting?**

- Parents, school representative (with decision-making authority on behalf of the school), and relevant member(s) of the IEP team.
- The parents and school district decide who from the IEP team they would like to have participate.
- The school district may not bring an attorney unless the parents bring an attorney. (No attorney's fees will be awarded in the resolution process.)

#### **Is there a timeline?**

- The resolution meeting must be held within 15 days of the school receiving the due process hearing request. The process can consist of one or more meetings.

**TIP:** Parents are encouraged to talk to a lawyer before requesting a hearing.

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- If the school is not able to resolve the dispute to the satisfaction of the parents within 30 days, the due process hearing may proceed.

#### **What about confidentiality?**

- There is no legal requirement to keep discussions in the resolution meeting confidential.

#### **Due Process Hearing Procedures**

The due process hearing includes witnesses, questioning and cross-examination, and presentation of

evidence by both the parents and the school. At least five business days before a hearing, the parents and

the schools must both tell what information they are going to present in the hearing. The hearing officer

may subpoena and swear in witnesses. The hearing officer will direct the hearing and will decide how

the hearing will be done. The hearing officer does not have to use statutory or common law rules of

evidence. He or she allows all reasonable testimony and will not allow testimony about topics that have

nothing to do with the disagreement. The hearing officer will use facts, the law, and the evidence to

make a decision on the case.

The hearing officer has the power to order any solution to the problem that is reasonable.

The hearing

officer has 45 days to make a decision after the resolution process is finished. The

hearing officer can

give extensions for specific amounts of time for either side if there is a good reason.

Timelines are

shorter in discipline situations. See Part 4.

The district pays for the due process hearing. Parents pay for their own attorneys and, if the parents win

the case, they can request from a court their attorney expenses be reimbursed by the school. There are

some limits, so parents should work with a lawyer that understands special education.

The hearing officer's decision is final and binding unless appealed. If either side does not agree with the hearing officer's decision, they can file for a civil action (lawsuit) in the circuit court (state court) where the child lives, or in a U.S. district court (federal court). Appeals to state or federal court must be filed within 45 days of the hearing decision. The court makes a decision based on the evidence. The decision of the hearing officer and the hearing officer's report is part of the evidence.

**Stay-Put Rule: What Happens to the Child While the Hearing is Going On?**

The school and the parents both have the responsibility to make sure their child's education is not interrupted while the hearing is going on. Unless the parents agree to it, the school cannot change the child's educational placement while the hearing is going on. This is called the "stay-put" rule. Parents and the district may agree to a new placement if they think that's what is best for their child. If the issue involves the child's first admission to school, the child, with the parents' consent, must be placed in the school until all proceedings are over. If a hearing officer's decision agrees with the parents that a change in placement is appropriate, the placement decided by the hearing officer becomes the child's current placement until the end of any appeals.

Stay-put is different for some discipline situations. See Part 4.

**TIP:** A confidential agreement could be considered for parties to sign at the beginning of resolution meeting, but the legal effect of such an agreement is unclear.

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## **PART 4: SPECIAL EDUCATION, BEHAVIOR, AND DISCIPLINE**

### **Introduction:**

Most legal problems around special education and discipline can be prevented. Parents and districts can

work together as a team to:

- prevent behaviors from becoming problems;
- make and use good IEPs that help the child learn new behaviors;
- give children the level of services they need to succeed in learning new behaviors;
- place children so their behavior does not interrupt their own or other children's learning.

### **How to prevent behaviors from becoming problems:**

All children, including children without disabilities, sometimes have behaviors that get in the way of their

own learning or that of their classmates. Children with disabilities, like all children, sometimes make bad

choices, do things that break the rules or act in a way that may directly result from problems associated with their disability. For many children with disabilities, it makes sense to use the regular classroom rules and consequences to help teach appropriate behavior. However, for some children, this is not enough.

If a child's behavior keeps interrupting his or her own learning, or the learning of other children, schools and parents can work together to make changes. If the district or parents think a child *might* behave in a way that interrupts learning, they can work together to make plans to prevent or avoid the behavior and to help the child learn other ways of acting. Documenting behavior is an important step in helping to problem solve and coming up with positive solutions for the student.

When an IEP team meets, the district and the parents should talk about behavior if it is one of the child's needs. The law does not require every child with a disability have a *behavioral intervention plan*, but some experts say it is a good idea to have a behavior plan in the IEP if it is likely that a child's behavior will become a problem.

Behavior plans are like tools. They can be used by the school to help the child learn better ways of behaving.

Behavior plans are usually used for behaviors the child is already doing, or tends to do.

The IEP team can create a behavioral intervention plan that helps the school to:

- understand the meanings of the behaviors,
- understand what might cause the behaviors to happen, and
- understand how to respond to the behavior so the child can learn a better behavior.

### **Functional behavioral assessment**

DPI Bulletin #07.01

For many children with behavior problems, using the common strategy of consequences for misbehavior

does not seem to work. When this happens, the IEP team can use a process called *functional behavioral*

*assessment* (FBA) to try to understand the child's behavior. Districts either have someone who understands

FBA or can locate someone to help them learn how to do it.

A FBA will try to look at each problem behavior to figure out when, where, and why it is occurring. The

person or people doing the FBA will probably want to observe the child, interview parents and teachers, and

investigate all the places and times when the child's behavior occurs.

When a district uses an FBA to take a closer look at the child's behavior, they will be trying to find an



answer to the question, “What function does this behavior have for this child?”

Experts say there are only two answers to that question. All behaviors either:

- get something (attention, sensory stimulation, status, rewards, power) or
- escape or avoid something (pain, boredom, anxiety, fear, someone not liked).

A good FBA will look beyond what the behavior IS to what the behavior DOES for the child. A good FBA

will:

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- look at the places or situations where the behavior happens,
- look at the events that happen just before it and just after it,
- look at how the child is feeling (angry, tired, thirsty, anxious, including side-effects of medication),

and

- try to find out what events, times or situations predict the behavior and will tell what happens after

the behavior occurs.

A good FBA will lead to answers to two important questions:

- What causes the behavior to happen?
- What will cause the behavior to NOT happen?

### **Behavioral Intervention Plans: Teaching Alternative Behaviors**

#### **DPI Bulletin #07.01**

Any IEP team can address behavior. It is much better to deal with behavior issues as early as possible to

prevent problems later. An IEP team can make a positive behavioral intervention plan using the information

from a FBA. A positive behavioral intervention plan does not excuse a behavior. It provides the school with

a carefully thought out action plan so that when the behavior does occur, teachers and others will know how

to act to decrease the behavior and teach a better alternative behavior.

An IEP team can use the information from the FBA to make a plan to teach alternative behaviors which have

the same function as the problem behavior. A positive behavioral intervention plan does not simply list the

consequences. It also plans for teaching the child alternative behaviors while reducing the problem behavior.

### **Behavior Goals in the IEP**

For many children, behavior can be a part of the IEP just like any other subject area. The IEP team can use

the present level of academic achievement and functional performance, annual goals, and specific services to

help the child learn appropriate behaviors in the same way they can help the child learn other things. The

goal must tell:

a. When? (How long until the child will reach this goal? A week? A year?)

b. What needs to be happening for the child to do this behavior? (“when on the playground,” “when

asked by his teacher,” etc)

c. Which behavior? (“will begin to comply with the instructions,” “will step away from his peers”, etc.)

d. To what specific level? (“in all small and large group settings,” “for three days in a row,” “8 out of 10 times,” etc.)

Here are some examples:

- In 18 weeks, when teased by his peers, Robert will walk away from the situation across all settings and times in school.

Here are the steps of a basic positive behavioral intervention plan. The goal is to reduce or eliminate the problem behavior:

- What is the function (cause) of the behavior? (A FBA will give a lot of information to answer this.)

- What behavior do we want to teach this child to replace the problem behavior? The replacement behavior MUST have the same function for the child.

- What will the teacher (other person) do to prevent the problem behavior? (Again, the FBA will give information on this.)

- What will the teacher (other person) do when the child exhibits the correct or alternative behavior in any situation? (Positive reinforcers and taking away something that acts in a negative way)

- When and how will the teacher (other person) practice teaching the replacement behavior?

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- In 30 weeks, during all classroom activities that need turn taking, Josephine will wait her turn 8 out of 10 times, for three days in a row.

When the IEP is implemented, the teachers teach the child the skills needed to reach each goal.

### **The IEP Team’s Job in Dealing with Behavior**

For many children, frustration or boredom leads to behavior problems. If a child has a good IEP, which

meets his or her individual needs and is helping him or her to learn and succeed, many behavior problems

can be prevented. If any member of the IEP team feels that the IEP is no longer working, he or she can ask

the IEP team to come back together to make changes to the IEP.

When a good IEP is matched with a good, appropriate placement for services, a child’s opportunities to learn

are greatly increased. The child’s opportunities for problem behavior are often decreased. If a child has

continual behavioral problems that keep the child or other children from learning, the IEP team should ask these questions:

1. Is this IEP being implemented? If not, what do we need to change?
2. Is this IEP working? Is it meeting this child's special needs?
3. Is this child getting all the services he or she needs to learn? If not, does the IEP team need to add or change some of the services?
4. Is this child's placement (classroom or learning situation) a good fit for the child's needs?
5. Will a FBA help the IEP team to understand the behavior and develop a good behavior plan?

The IEP team can use information from an FBA to develop a positive behavior plan. The IEP team can also talk about changing the services a child needs, changing the placement or learning situation, or changing the IEP to better meet the child's needs.

### **When a Problem Occurs**

Children with disabilities have many protected rights. One of them is the right to participate in the least restrictive environment, learning alongside peers without disabilities, as much as possible. For many children with disabilities, the IEP team will decide it is appropriate for the child to have the same consequences for behavior as any other child in the school. Some IEP teams will put this into the IEP. Most children with disabilities are able to understand and follow the same school rules as their peers without disabilities. They have the same legal protections as every other child.

**TIP:** Address behavior problems with the IEP team when they occur to avoid more serious problems later.

A school is responsible for keeping children and others safe, while protecting the rights of individual children. If any child is acting in a way that is dangerous for others, or for the child, it is the school's first job to deal with the danger and keep people safe. Special education law cannot interfere with school safety.

Schools may use a variety of punishments or consequences for breaking rules. A child with a disability can receive the same consequences or punishments as other children with only one exception: long term

exclusion from education (see below). However, state law has some restrictions. For example, in

Wisconsin, it is illegal to use corporal punishment to discipline a child in school. "Corporal punishment"

includes punishments like paddling, slapping or making a child stay in a painful position, when used as a means of discipline. This is true for all children, not just those with disabilities.

**TIP:** Wisconsin law requires schools to implement a Code of Classroom Conduct.

Parents should ask their

district for a copy of their Code of Classroom Conduct and review it when writing the IEP behavior

plan.

The IEP team should talk about possible behavior problems. They should also discuss whether or not the

regular consequences in the school's or classroom's policy have meaning for the child.

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**TIP:** Punishment alone generally will not solve the problem. It only tells the child what *not* to do. It does

not tell the child *what to do*.

When a problem with behavior occurs, a good first step is to call the IEP team back together to talk about it.

The IEP team can take action to prevent a repeat of the problem using behavior planning, FBA, IEP revision,

change of services, or change in placement. As always, the parents are equal partners in the discussion. If

disagreements occur, first informal and then formal methods of solving problems should be used.

### **Disciplinary Consequences and School Rules**

The most important step for the parents and school is to think ahead. They should know the school rules. If

a behavior or set of behaviors is going to be a problem, deal with it in the IEP. The IEP team should create a

behavior plan to teach alternative behaviors.

**TIP:** If the IEP team does not mention behavior, the parent can bring it up at any IEP meeting.

An IEP team can talk about patterns of behaviors that may cause problems. Some disabilities have

"common" behaviors. If these are a problem, the IEP team should address them. Not every child will show

every "common" behavior typical of that disability. Some children might show behaviors that are not

common for the disability. It is important for the IEP team to talk about what behaviors are being noticed at

home, in school, or in the community. If there are behaviors that are, or will likely become, a problem,

NOW is the time to work on them. The IEP team can make a plan.

Federal and state laws say it is illegal to discriminate against a person on the basis of disability. A child with

a disability cannot be disciplined more severely than a non-disabled child for breaking the same rule. If a

child without a disability may be suspended for three days for breaking a rule, a child with a disability cannot be suspended for more than three days for breaking the same rule. There is no law that says a student who has a disability cannot be disciplined. In addition, schools have the right and responsibility to report crimes to the police. To report a crime, schools do not need a parent's permission. For a child with a disability, if the police are called, the school must provide them with copies of the child's special education and disciplinary records if the police request them. However, the school cannot provide the special education or disciplinary records unless it either gets parent permission, has a court order, or is responding to a situation where the child's health and safety are at issue.

### **Suspensions (In-school Suspensions and Removal from School)**

When a child is suspended, the child is removed from school or class for a certain number of days as a consequence of breaking school or classroom rules. During in-school suspensions (removals) the child is in the school building, but not attending classes. Sometimes, in-school suspension will include doing work or getting instruction without being in the classroom as usual. Schools must promptly tell the parents if the child is suspended. Many schools will do it in writing. Parents can call and ask for district policies. Parents also have a right and need to know why their child is suspended. Parents have a right under state law to meet with someone other than the person who suspended the child to appeal the suspension. **TIP:** Parents should call or visit the school when their child is suspended and find out why the child was suspended, how long the suspension is, and what services, if any, the child is receiving during the suspension period.

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In Wisconsin, a child with a disability can be suspended for up to five days in a row, the same as a child without a disability. A school can suspend a child for more than five days in a row only if the school sends the parents a notice of an expulsion hearing. The school and parents, as the IEP team, can agree to a change in placement. (See also Part 3 on "Problem Solving".)

**TIP:** If a child with a disability is suspended and then another problem behavior occurs, the consequence of suspension probably did not work. It is a good idea for the IEP team to meet and talk about developing a

positive behavioral intervention plan to help prevent on-going problems and teach new behaviors. A FBA

can help the team develop a plan. A functional behavioral assessment and the positive behavioral

intervention plan may be done in one meeting, if the team has enough information.

### **Exclusion through Patterns of Suspension or Expulsion**

Generally, schools can suspend a child with a disability from school for up to a total of ten days in a school

year without having to take special steps and without providing services during the suspension. In

Wisconsin this can be up to five days at a time.

**Federal special education law permits a suspension of ten consecutive school days for one incident.**

**However, state law is different. Wisconsin law only allows a ten day suspension if a notice of an**

**expulsion hearing has been sent to the child and parents. Therefore, five days is the longest suspension**

**allowed if no notice of an expulsion hearing has been sent.**

The law does not set a specific limit on the total number of days a child can be removed in a school year.

After a total of ten days removal in a school year, for additional removals the school must provide services,

even if in another setting. If the additional suspensions or removals are for less than ten days, and not a

change in placement, school personnel, including at least one of the child's teachers, decide how much

service is needed. If the suspension results in a change of placement, the IEP team participants decide on the appropriate services.

**TIP:** If the child is getting suspended over and over again, then the IEP team should meet and take a closer

look at how to prevent or reduce the behavior problems.

If the child is being suspended or removed frequently, school staff should begin to look at whether the

removals are creating a pattern. A pattern of shorter suspensions that add up to more than ten days in the

year should be a caution. This could be a change in placement requiring appropriate procedures.

Multiple suspensions that total more than ten days in a school year may be a change of placement in some

cases. The school decides if there has been a change in placement. Things the school considers when

deciding if there is a change in placement include:

- the length of each removal,
- the total amount of time the child is removed,
- the proximity of the removals to one another,

- the similarity of the child's behavior to the child's behavior in previous incidents in the series of removals.

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If a suspension creates a change of placement, the school must be sure to follow proper procedures. The

district, parent, and relevant members of the IEP team must do a manifestation determination. See *Longterm*

*Removal Options*. If the behavior was a manifestation of the disability, the school may not suspend the

child. The IEP team must meet to develop or review the behavior intervention plan.

If the behavior was not a manifestation of the disability, the school may suspend the child.

The school may

have the IEP team do a FBA and behavior intervention plan if it thinks it is appropriate.

However, during

the suspension the child must receive the IEP services that the team decides upon.

Patterns of removal

cannot keep a child from progressing in the general education curriculum, receiving services listed in the

IEP, or working on goals in the IEP.

**TIP:** If it looks like a pattern of removals is happening, experts recommend that the school call the IEP team

together to revise the IEP and possibly to change the child's placement. If the parents and the rest of

the IEP team agree to the change in placement, then the IEP is implemented and a change in behavior

generally occurs.

If the child has had multiple suspensions totaling ten days in a school year, and the school thinks an

additional suspension would not be a placement change, the school personnel and one of the child's teachers

together decide the services the child receives during the suspension. (See also part on "Problem Solving".)

All children have the right to a hearing before being expelled from school. Children with disabilities have

additional rights. Sometimes a child with a disability will do something that normally results in an expulsion

or a suspension which results in a change of placement. The school must inform the parents, the same as if

the child was not in special education. Then, the school must be sure to follow additional rules because their

child is in special education. Things may be done in a different way if the behavior

involves drugs, weapons,

or serious bodily injury.

### **Long-term Removal Options—No Weapons, Drugs, or Serious Bodily Injury**

A *manifestation determination* is made by the district, the parents, and relevant members of the IEP team.

This group determines whether the behavior which got the child in trouble is a manifestation of the child's disability. The law prevents a school from using expulsion or other long-term removal if the cause of the behavior was the disability itself. If the behavior is a manifestation of the child's disability and if not already done, the IEP team must do a functional behavioral assessment and develop a positive behavior plan. If the child already has a positive behavior plan, the IEP team must meet to review the plan and revise it to address the behavior. If the behavior is not a manifestation of the child's disability, the IEP team does a FBA and behavior intervention plan if it is appropriate.

**TIP:** Experts agree that the IEP team can and should talk about and document a child's disability-related behavioral needs using a FBA before the crisis event. FBA leading to prevention, teaching, and planning can often prevent the crisis in the first place.

To make a manifestation determination, the district, the parent, and relevant members of the IEP team must

look carefully at relevant information in the child's file, including:

- the child's IEP,
- information from the parents,
- observations of the child, and
- new and/or existing evaluation results,

The IEP team determines the behavior is a manifestation of the child's disability if:

- the behavior in question was
  - caused by the child's disability, or
  - had a direct and substantial relationship to the child's disability.

OR

- the behavior was the direct result of the school's failure to implement the child's IEP.

#### **Not a manifestation of the disability**

If it is determined the behavior is NOT a manifestation of the child's disability, then the child can be expelled or removed as a child without a disability would be. The school must continue to provide services so that the child progresses in the general education curriculum and advances toward IEP goals, even if the child is no longer served in the same school environment. The IEP team decides what services the child needs and where those services will be provided. See DPI Bulletin #06.02.

#### **Manifestation of the disability**

If it is determined the behavior is a manifestation of the child's disability, then the school can seek a change



of placement through the IEP team process, but the child cannot be expelled. The IEP team must do a FBA and develop a behavioral intervention plan. If there is already a behavioral intervention plan, the IEP team must review it and make changes, if needed, to deal with the behavior. The IEP team must decide how to provide the child with the services he or she needs in the least restrictive environment.

**Long-term Removal Options—Danger to Self or Others**

If the school believes a child with a disability is substantially likely to hurt others or self, it can suspend the child (within suspension limits talked about above) and have the IEP team meet and revise the IEP and placement. If the IEP team, which includes the parents, believes a FBA and behavioral intervention plan (or a revision of a plan) is what's needed, they should do it.

The IEP team can develop a different placement for the child that better meets his or her needs. Unless the

parent requests a due process hearing, the child goes to that new placement to continue:

- to receive special education and related services,
- to progress in the general education curriculum,
- to work on IEP goals and objectives, and
- to learn more appropriate behaviors.

**TIP:** Parents should find out the school's crisis intervention and police referral policies. If the IEP team can't resolve the problem, and the district believes that keeping the child in the current

placement is likely to result in injury to the child or others, the district may request a hearing to have the

child placed in an Interim Alternative Educational Setting (IAES) for up to 45 school days. An Interim

Alternative Educational Setting is a temporary setting that's different from the child's usual one and is

designed so the child can:

- continue to progress in the general education curriculum, but in another setting;
- continue to get the services in the IEP;
- continue to work on the goals in the IEP;
- get services to help prevent the behavior problem from happening again.

After the child's time in the Interim Alternative Educational Setting (up to 45 school days), if the school

believes it would be dangerous for the child to return to the setting the child was in before, the school can ask

a hearing officer to order the child stay in the Interim Alternative Educational Setting for additional periods

of up to 45 school days each. One of the jobs of the Interim Alternative Educational Setting is to help the

child prevent the behavior problems.

If school officials think keeping a child in an educational placement is likely to result in injury to the child or others, the school can go to court to get an order to remove the child from school or to change the child's placement. However, the school remains responsible for providing FAPE to the child.

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#### **Not a manifestation of the disability**

If the behavior is NOT a manifestation of disability, then the child can be expelled as a child without a disability would be, BUT the school must continue to provide the services the child needs to progress in the general education curriculum and advance toward IEP goals, even if the child is no longer served in the same school environment. The IEP team decides what services the child needs and where those services will be provided.

#### **Manifestation of the disability**

If the behavior IS a manifestation of disability, then the school can seek a change of placement through the IEP team process, but the child cannot be expelled. The IEP team must decide how to provide the child with the services he or she needs in the least restrictive environment.

#### **Long-term Removal Options—Weapons, Illegal Drugs, or Serious Bodily Injury**

There are three types of situations where a school district can remove a child with a disability from their current placement for up to 45 school days whether or not the behavior is a manifestation of the child's disability:

1. if the child has brought a weapon to school or to a school function or is found to have a weapon the child got while at school or a school function;
2. if the child knowingly possesses or uses illegal drugs or sells or solicits controlled substances while at school or at a school function.
3. if the child has inflicted serious bodily injury on another person while at school or a school function.

In addition to calling the police, school officials can immediately suspend the student for up to ten school days (providing the parents with notice of possible expulsion) and move the child into an Interim Alternative

Educational Setting for up to 45 school days. If the parent challenges the Interim Alternative Educational

Setting by requesting a due process hearing, the child will stay in that setting until the end of the hearing or the end of the 45 school days (whichever is first), unless the parent and the school agree otherwise.

The IEP team must make a manifestation determination. If the behavior is a manifestation of the child's disability, then the IEP team must do a functional behavioral assessment and a behavior intervention plan. If a behavior intervention plan is already in place, the IEP team must review the plan and change it as necessary to address the behavior. During the time in the Interim Alternative Educational Setting, the child continues to get the services and teaching needed to keep making progress in the general education curriculum, to keep working on IEP goals, and to learn alternate behaviors. At the end of the time period, the child returns to the prior placement, unless the IEP team determines a different placement for the child.

The child must continue receiving FAPE, regardless of the setting.

Schools have the right to seek an order from a hearing officer or judge if they believe the child is a danger to self or others. See *Long-term Removal Options-Danger to Self or Others*. In addition, the school has the right and the responsibility to involve law enforcement officers if they think a crime has been committed.

Parents may request a copy of their district's police referral policy.

#### **Not a manifestation of the disability**

If the behavior is NOT a manifestation of disability, then the child can be expelled as a child without a disability would be, BUT the school must continue to provide the services the child needs to progress in the general education curriculum and advance toward IEP goals, even if the child is no longer served in the same school environment. The IEP team decides what services the child needs and where those services will be provided.

#### **Manifestation of the disability**

If the behavior IS a manifestation of disability, the school can still place the child in an Interim Alternative Educational Setting for up to 45 school days. The school also can seek a change of placement through the IEP team process, but the child cannot be expelled. The IEP team must decide how to provide the child with the services he or she needs in a least restrictive environment.

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#### **Progressing in the General Education Curriculum and IEP Goals**

After a child has been suspended for ten school days in a school year, the child must get the services needed to progress in the general education curriculum and advance toward the child's IEP goals. Throughout any

exclusion from the child's special education program that is a change of placement, the child has the right to keep getting educational services. A child probably won't get the exact same teaching in the exact same classroom(s) or settings during suspensions or other exclusions. However, the school must continue to provide the child with FAPE.

The child must continue to get the services listed in the current IEP. The IEP team may meet to change the IEP if needed, and, if the parent doesn't agree with the changes, the parent can use the same informal and formal methods of solving problems as usual. The setting must be designed to help the child keep progressing in the general education curriculum, even if the child is going to a different place. The child will keep working toward IEP goals. If the child is in an Interim Alternative Educational Setting (IAES), the program must also help the child learn more appropriate behavior so that the problem can be prevented in the future. If the child's behavior interferes with learning, the IEP team must consider strategies and supports to address the behavior.

When a child is also in special education, the processes of helping the child, while protecting the safety of others, are not always simple or straightforward. If parents or districts have questions about legal rights and actions, they should contact an attorney.

Throughout the process of dealing with severe behaviors and their consequences, the IEP team, which includes the parents, takes a lead role. The IEP team has the ability to deal with many problems. If parents agree with changes in the IEP or changes in placement to help the child with the behavior, then the school can focus its energy on helping the child improve behavior. Parents continue to have important rights and roles during the process, and their understanding of the laws and the processes is critical.

#### **IF PARENT DISAGREES**

##### **Expedited Hearing**

A due process hearing must be expedited (held quickly) in some cases. This includes when a parent disagrees with a manifestation determination or with any decisions regarding placement for disciplinary reasons. Hearings must also be expedited when the district wants a change in placement for safety reasons or when the district wants to extend an Interim Alternative Educational Setting (IAES) because it thinks it is

dangerous for the child to return to the prior setting.

An expedited hearing is one where the hearing must be held within 20 school days of the request for the

hearing. A resolution meeting must occur within seven days of the request for a hearing, unless the parents

and district agree to waive the resolution meeting. (See Bulletin #06.02) A decision is made no more than

10 school days after the hearing. Extensions of the timeline are not permitted. The child stays in the

alternative setting until the time has ended or the hearing process is finished, whichever happens first.

### **Protections for Children Not Yet Eligible for Special Education and Related Services**

If a child has not been identified as being eligible for special education but does something that violates

school rules, he/she may have the protection of special education law if, before the behavioral violation:

- the parents have expressed concern in writing to school supervisors or administrators, or one of the child's teachers, that the child needs special education and related services;

**TIP:** If a parent is concerned about their child's behavior or performance, it's best to make a referral for an

IEP team evaluation and give it to the principal. If needed, parents can ask someone to help them put

it in writing.

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- the parent of the child has asked for an IEP team evaluation;

- the child's teacher or other school staff has expressed concern about a pattern of behavior

demonstrated by the child to the special education director or other supervisory staff.

The school is not considered to have knowledge the child was a child with a disability if the child's parent

has refused consent for evaluation or special education services, or an evaluation was done and the child was

found to not be eligible for special education.

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## **RESOURCES**

### **More Information for Parents**

(For most current lists, go to: <http://www.dpi.wi.gov/sped/tm-spedctopics.html> or <http://www.specialed.us>)

#### **Wisconsin Agencies**

Wisconsin Department of Public Instruction

125 South Webster Street

P.O. Box 7841

Madison, WI 53707-7841

(800) 441-4563

TTY: (608) 267-2427

Fax: 608 267-3746

Website: <http://www.dpi.wi.gov>

Wisconsin Family Assistance Center for Education, Training  
and Support, Inc. (WI FACETS)

2714 North Dr. Martin Luther King Drive

Milwaukee, WI 53212

(414) 374-4645

(877) 374-4677 (toll-free)

TDD: (414) 374-4635

Fax: 414-374-4655

Website: <http://www.wifacets.org>

Email: [wifacets@wifacets.org](mailto:wifacets@wifacets.org)

Wisconsin Statewide Parent-Educator Initiative (WSPEI)

Building D-2, Mailbox 65

800 Wisconsin Street

Eau Claire, WI 54703

(877) 844-4925 (toll-free)

Website: <http://www.dpi.wi.gov/sped/parent.html>

Wisconsin Special Education Mediation System (WSEMS)

Burns Mediation Services,

P.O. Box 107

Hartland, WI 53029-0107

(888) 298-3857 (toll-free)

Fax: (262) 538-1348

TTY: (262) 538-1618

Website: <http://www.wsems.us>

Disability Rights Wisconsin (DRW)

131 W. Wilson St. Suite 700

Madison, WI 53703-2716

(608) 267-0214

(800) 928-8778

Website: <http://www.disabilityrightswi.org/>

#### **National**

Office of Special Education and Rehabilitative Services

U.S. Department of Education

400 Maryland Ave., S.W.

Washington, DC 20202-7100

(202) 245-7468

(800) 872-5327

TTY: 800-437-0833

Fax: (202) 401-0689

Website:

<http://www.ed.gov/policy/speced/guid/idea/idea2004.html>

#### **Other Websites**

Websites with links to multiple resources

Family Village

<http://familyvillage.wisc.edu/>

First Step Searchable Database

<http://www.resourcehouse.info/en/wi/cgi-bin/location.asp>

Disability Info

<http://www.disabilityinfo.gov>

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## **GLOSSARY**

**Assistive technology (AT):** Any item a child needs to increase, maintain or improve how the child does in

school. AT includes low-tech and high-tech items, from a calculator to a computer. AT also can mean services a child needs to help in choosing, getting, or using the item.

**Behavioral Intervention Plan (BIP):** The IEP Team makes a plan to help prevent problem behaviors. The plan helps a child learn new appropriate behaviors. A positive behavior plan is not a list of punishments.

The plan uses information from a functional behavioral assessment.

**CESA:** Cooperative Educational Service Agency. An agency that provides special education and other services to schools. Schools buy services from a CESA, but the school is still responsible for the services.

**Consent:** The parent tells the school in writing the parent understands and agrees to what the school plans to do. The consent form says the parent understands consent is voluntary, and the parent can take it back at any time before the school does what it plans to do. Parents can revoke the consent, but it does not cancel what the LEA has already done.

**Evaluation:** When a professional gathers information about a child to decide if the child qualifies for special education or the kind and amount of services the child needs. Evaluation can be testing, observing, or talking to people who work with the child.

**Evaluation Report:** The IEP team gathers all evaluation information about a child who is being evaluated.

They work together to write a final report about the evaluation. The report includes whether the child qualifies for special education.

**Free Appropriate Public Education (FAPE):** Every child who is eligible for special education must receive a FAPE which means the school cannot charge for the child's education, and that education must enable the child to be involved in, and make progress in, the general education curriculum.

**Functional Behavioral Assessment (FBA):** The IEP Team finds out what makes the child keep doing problem behaviors and how to help the child learn how to behave differently.

**General education curriculum:** What children without disabilities learn in the regular education classroom.

**Home-based schooling:** Parents choose to teach their child at home instead of sending their child to school to learn basic subjects.

**Homebound schooling:** When the child's IEP Team decides it is appropriate, the school teaches a child at

home. The IEP Team's decision must be based on the child's needs.

**Individualized Education Program (IEP):** The plan developed by the child's IEP team which indicates the child's annual goals, and specifies the special education and related services which the child will receive.

**Itinerant instruction:** Instruction that is provided by staff traveling to multiple schools or school districts and offer services in such areas as Visual Impairment, Hearing Impairment, Orientation and Mobility, Physical Therapy, Occupational Therapy, etc.

**LEA representative:** A person on the IEP Team who has knowledge about, and can commit the school's resources so that the child receives the IEP services. All IEP meetings must have an LEA representative.

**Least Restrictive Environment (LRE):** LRE is a concept referring to the extent of removal of a child from education with children who do not have disabilities as little as possible.

**Placement:** The child's setting (regular class, resource room, self-contained class), and the school building the child attends for receiving special education.

**Related Services:** Things a child may need to benefit from special education. They are included in the IEP.

Examples of related services are occupational therapy and physical therapy.

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**Special Education:** Specially designed instruction to meet the unique needs of a child with a disability. The services are provided at no cost to the parents. The services can be provided in many different settings.

**Supplementary Aids and Services:** Services and supports provided in regular education classes and other settings to help a child with a disability be educated with children who do not have disabilities as much as is appropriate.

**Transition:** Transition is the term for preparing a child for life after high school. Transition planning is a required part of every child's IEP starting at age 14. Transition planning is also required for every child moving from Birth to Three Programs to a school's Early Childhood special education. Sometimes transition planning happens when a child moves from one grade to the next, or one school to the next.

Transition can also mean moving from one class to the next class in school.

**Wisconsin Alternate Assessment (WAA):** State guidelines for testing children with disabilities who cannot take the regular required state tests.



## **The Evergreen Academy will comply with:**

### **THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

#### ***Notification of Rights for Elementary and Secondary Schools***

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.  
[NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records re-request unless it states in its annual notification that it intends to forward records on request.]
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

[NOTE: In addition, an institution may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

***FERPA Notification***

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Evergreen Academy, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, The Evergreen Academy may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary. The primary purpose of directory information is to allow The Evergreen Academy to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets

The following information is considered "Directory Information"

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

Footnotes: 1. These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C.503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

## Dissolution Procedures

Should the Evergreen Academy need to dissolve the Charter School, closing procedures of the school will be carried out according to IC 20-24-3-3. At the point in time the school ceases to operate as a school, (through revocation of its charter contract with Ball State University, Office of Charter Schools) all remaining assets will be dispersed to other non-profit educational organizations, first being the Alexandria Community School Corporation. All remaining cash received from the Indiana Department of Education will be returned within thirty days after dissolution.

The specific procedures for school closure are as follows:

Task or Action	Assigned to	Date for Completion	Date Completed
1. Work with Ball State to define any processes necessary for school closure. Convene Board to add detail to closure plan.			
2. Stop all purchasing with the exception of payroll charges, insurance, facility bills. Set aside funds in account earmarked for final expenses.			
3. Assign teachers to update all student files to assure complete and accurate information will be available to the student's next school. Complete any assessments due. Finish any IEP's as necessary.			
4. Inform parents in writing within a 10 day period of the closure. Schedule a public meeting if needed to assist parents in finding/enrolling children in another school. Offer to provide copies of school records if			

needed. Provide them with an updated calendar listing dates for the last day of instruction, the last day to pick up student records, and the day the school will be closed to the public.			
5. Prepare testing materials, assessment data and other school and student records to be sent to the student's district of residency.			
6. Call any vendors to cancel contracts on equipment leases, if any.			
7. Inform school employees of the projected last day of employment.			
8. Notify school districts of charter school closing. Arrange for records transfers.			
9. Contact all creditors to establish balances owed on any loans. Inform any funders of the school's closure to make arrangements to return unspent money.			
10. Create a list of all debts and obligations to be part of the final audit.			
11. Contact payroll services and insurance carrier with a final date for services.			
12. Disburse property to other charitable, non-profit education organizations.			
13. Schedule public auction of any			

remaining property.			
14. Return to the state any cash on hand			
15. Dissolve the school board.			
16. Package all documentation of school closure procedures, final receipts and lists of any money owed the school for Ball State., or the State of Ohio.			

## **Policy of Patriotic Commemorative Observances**

The Evergreen Academy and its staff feel it is very important to take pride in our country, and will comply with IC 20-30-3-2. The Evergreen Academy staff and students will observe the following:

1. The singing of the entire national anthem, "The Star Spangled Banner", in each school on all patriotic occasions
2. The purchase of a United States flag that is four (4) feet by six (6) feet for the school
3. The United States flag will be displayed every day the school is in session (weather permitting). If the flag is not displayed outdoors for any reason, the flag must be displayed in the principal room or assembly hall. The school will establish appropriate rules and regulations for the proper care, custody, and display of the flag.

## Personal Financial Responsibility Instruction

The Evergreen Academy will integrate personal financial literacy into the 8<sup>th</sup> grade curriculum across all academic content areas. The students will achieve standards and benchmarks through multiple short term and year-long projects. Creating a school economy whereby eighth grade students assist younger students to earn school “money” and use it in a variety of ways, from investing, to charitable giving, to saving will provide experiences by which to apply newly acquired knowledge. The benchmarks will spark the activities created by teachers and students to master content knowledge. Other on-line and print resources will be utilized to assist with instructional content. These resources include:

- **The Bad Credit Hotel:** Visit The Bad Credit Hotel to enlighten the murkier areas of your credit know how—brought to you by the U.S. Treasury Department.
- **Banking Basics:** Published by the Federal Reserve Bank of Boston, this 30-page publication answers many of the most common questions about banks and banking.
- **Banking on Our Future:** Sponsored by Operation Hope with support from Wells Fargo Bank, this highly interactive site provides information, activities, and games in English and Spanish that introduce money management skills to students in grades 4-8, high school students, and adults.
- **Federal Reserve Education:** This site contains links to a wealth of free educational resources, including curriculum, videos, booklets, research, newsletters, interactive Web sites (such as Fed101, Peanuts & Crackerjacks, and What Is a Dollar Worth?), and other Federal Reserve and non-Fed educational materials.
- **Federal Reserve Kids Page:** Launched by The Federal Reserve Board, this site is designed to educate middle school students about the Board of Governors of the Federal Reserve System. The new Web page is designed in a user-friendly, question-and-answer format to ensure easy navigation and the ability to learn basic information about the Fed.
- **Financial Football:** Visa and the National Football League have teamed up to help students across the country learn financial concepts—with Financial Football. Students tackle financial questions in this fast-paced, quiz-style game which divides classrooms into two teams that compete by answering finance-themed questions to earn yardage and score touchdowns.
- **Frugal Living:** This site provides resources and ideas for teens and young adults to help them understand and control their money through saving and budgeting.

- **Hands on Banking (El futuro en tus manos):** Sponsored by Wells Fargo Bank, this innovative, entertaining program includes customized instruction in English and Spanish for four age groups, from 4th grade through adult.
- **Learning the Value of Money: Lesson Plans & Activities:** You'll find online or downloadable activities, games, lesson plans, and resources for parents and teachers about teaching children from kindergarten to high school about money.
- **Money in Motion:** The American Bankers Association Education Foundation teamed up with Scholastic, the largest publisher of children's books, to produce Money in Motion, a financial literacy program designed to help teachers educate their students on basic financial skills. Targeted to students in grades 7-12 and using reproducible handouts and problem-solving exercises, the materials cover a broad range of subjects.
- **Moneyopolis:** This site introduces you to Xerbie, a visitor from outer space who's stranded in Moneyopolis because he couldn't save enough money to repair his broken spaceship. Help him get back home by answering questions in each section of the site and completing the game. The site encourages kids to consider finding an after-school job, saving for college, and setting long-term goals while learning about the importance of community volunteer work. Developed for grades 6 to 8.
- **Money Skills for Life:** Sponsored by Visa U.S.A., the Practical Money Skills for Life Web site is designed to help educators, parents, and students practice better money management for life.
- **Understanding Taxes:** Sponsored by the Internal Revenue Service, teens will learn how much they will earn after taxes from various summer jobs at this site.
- **Young Americans Bank and Education Foundation:** This site informs visitors about banking basics, how to calculate interest, and the cost of college. It is the site of the world's only bank dedicated to young people.



*\*This emergency plan document will be adapted to the uses of the Evergreen Academy, using input from the Charter Board members, administrative staff and teachers.*

**SCHOOL EMERGENCY**

**And**

**CRISIS RESPONSE PLAN**

**Of the**

**Evergreen Academy**

### Promulgation Statement

*(Insert School Name)* is committed to the safety and security of students, faculty, staff, and visitors on its campus. In order to support that commitment, the School Board has asked for a thorough review of *(Insert School Name)* emergency mitigation/prevention, preparedness, response, and recovery procedures relevant to natural and human caused disasters.

The School Emergency and Crisis Response Plan that follows is the official policy of *(Insert School Name)*. It is a result of a comprehensive review and update of school policies in the context of its location in *(Location)* Illinois and in the current world situation. We support its recommendations and commit the school's resources to ongoing training, exercises, and maintenance required to keep it current. This plan is a blueprint that relies on the commitment and expertise of individuals within and outside of the school community. Furthermore, clear communication with emergency management officials and ongoing monitoring of emergency management practices and advisories is essential.

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SCHOOL BOARD

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DATE

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LOCAL EMERGENCY MANAGEMENT

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DATE

## **Approval and Implementation**

### Emergency and Crisis Response Plan

This Emergency and Crisis Response Plan is hereby approved. This plan is effective immediately and supersedes all previous editions.

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PRINCIPAL

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DATE

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SUPERINTENDENT

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DATE

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SCHOOL BOARD

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## **A. INTRODUCTION**

### **1. Authority**

A. Federal: 10 CFR 350; (Nuclear Regulation) NUREG-0654; FEMA–REP-1, Revision 1 Regarding Mandated Emergency Response Plans and Emergency Planning Zones

B. State: Public Act 94-600 School Safety Drill Act; 29 Illinois Administrative Code 1500 (School Emergency and Crisis Response Plans); 77 Illinois Administrative Code 527 (Physical Fitness Facility Medical Emergency Preparedness Code)

C. Local:

D. School Board:

### **2. Purpose**

A. This Basic Plan outlines **(Insert School Name)** approach to emergency management and operations. It has been developed to assist **(Insert School Name)** protect its staff and students during an emergency situation. This plan takes an all-hazard approach to emergency management and plans for mitigation/prevention, preparedness, response, and recovery.

### **3. Mission and Goals**

A. The mission of **(Insert School Name)** in an emergency/disaster is to:

1. Protect lives and property
2. Respond to emergencies promptly and properly
3. Coordinate with local emergency operations plans and community resources
4. Aid in recovery from disasters

B. The goals of **(Insert School Name)** are to:

1. Provide emergency response plans, services, and supplies for all facilities and employees
2. Ensure the safety and supervision of students, faculty, staff and visitors to the school.
3. Restore normal services as quickly as possible
4. Coordinate the use of school personnel and facilities
5. Provide detailed and accurate documentation of emergencies to aid in the recovery process

### **4. Explanation of Terms**

#### **A. Acronyms**

- |    |      |                                   |
|----|------|-----------------------------------|
| 1. | AED  | Automated External Defibrillator  |
| 2. | CERT | Community Emergency Response Team |
| 3. | CFR  | Code of Federal Regulations       |
| 4. | CPR  | Cardio-Pulmonary Resuscitation    |
| 5. | EOC  | Emergency Operations Center       |

6.	EOPT	Emergency Operations Planning Team
7.	EPI	Emergency Public information
8.	FEMA	Federal Emergency Management Agency
9.	Hazmat	Hazardous Material
10.	IC	Incident Commander
11.	ICP	Incident Command Post
12.	ICS	Incident Command System
13.	NIMS	National Incident Management System
14.	SC	School Commander
15.	SOPs	Standard Operating Procedures
16.	UC	Unified Command

## **B. Definitions**

### **1. Emergency Public Information (EPI)**

This includes any information that is disseminated to the public via the news media before, during and/or after an emergency or disaster.

### **2. Emergency Situation**

As used in this plan, this term is intended to describe a range of situations, from a specific isolated emergency to a major disaster.

### **3. Emergency**

Defined as any incident human-caused or natural that requires responsive action to protect lives and property. An emergency is a situation that can be both limited in scope and potential effects or impact a large area with actual or potentially severe effects.

Characteristics of an emergency include:

- A. Involves a limited or large area, limited or large population, or important facilities.
- B. Evacuation or in-place sheltering is typically limited to the immediate area of the emergency.
- C. Warning and public instructions are provided in the immediate area, not communitywide.
- D. One or more local response agencies or departments acting under an IC normally handle incidents. Requests for resource support are normally handled through agency and/or departmental channels.
- E. May require external assistance from other local response agencies or contractors.
- F. May require community-wide warning and public instructions.
- G. The EOC may be activated to provide general guidance and direction, coordinate external support, and provide resource support for the incident.

### **4. Disaster**

A disaster involves the occurrence or threat of significant casualties and/or widespread property damage that is



beyond the capability of the local government to handle with its organic resources. Characteristics include:

- A. Involves a large area, a sizable population, and/or important facilities.
- B. May require implementation of large-scale evacuation or in-place sheltering and implementation of temporary shelter and mass care operations.
- C. Requires community-wide warning and public instructions.
- D. Requires a response by all local response agencies operating under one or more ICs.
- E. Requires significant external assistance from other local response agencies, contractors, and extensive state or federal assistance.
- F. The EOC will be activated to provide general guidance and direction, provide emergency information to the public, coordinate state and federal support, and coordinate resource support for emergency operations.

5. **Hazard Analysis**

A document published separately from this plan that identifies the local hazards that have caused or possess the potential to adversely affect public health and safety, public or private property, or the environment.

6. **Hazardous Material (Hazmat)**

A substance in a quantity or form posing an unreasonable risk to health, safety, and/or property when manufactured, stored, or transported. The substance, by its nature, containment, and reactivity, has the capability for inflicting harm during an accidental occurrence. It can be toxic, corrosive, flammable, reactive, an irritant, or a strong sensitizer, and poses a threat to health and the environment when improperly managed. Hazmat includes toxic substances, certain infectious agents, radiological materials, and other related materials such as oil, used oil, petroleum products, and industrial solid waste substances.

7. **Inter-local agreement**

These are arrangements between governments or organizations, either public or private, for reciprocal aid and assistance during emergency situations where the resources of a single jurisdiction or organization are insufficient or inappropriate for the tasks that must be performed to control the situation. Commonly referred to as a mutual aid agreement.

8. **Standard Operating Procedures (SOP)**

SOP's are approved methods for accomplishing a task or set of tasks. SOPs are typically prepared at the department or agency level.

## **B. SITUATION AND ASSUMPTIONS**

### **1. Situation**

A. **(Insert School Name)** is exposed to many hazards, all of which have the potential for disrupting the school community, causing casualties, and damaging or destroying public or private property. A summary of the major hazards is provided in Figure 1. More detailed information is provided in a Hazard Analysis, published separately.

B. The school's current enrollment is approximately \_\_\_\_\_ students. The school's current enrollment of students with special needs is approximately \_\_\_\_\_. Special needs students are located in the following building(s) / room(s): \_\_\_\_\_

The school's staff is comprised of:

\_\_\_\_\_ teachers  
\_\_\_\_\_ administrators  
\_\_\_\_\_ office/support staff  
\_\_\_\_\_ aides  
\_\_\_\_\_ cafeteria staff  
\_\_\_\_\_ custodial staff

C. The school employs approximately \_\_\_\_\_ people with special needs. Employees with special needs are located in the following building(s)/room(s): \_\_\_\_\_

D. The list of students and teachers with special needs and the person assigned to assist them during drills, exercises and emergencies is located in Appendix 16.

E. The school has a master schedule of where classes and grade levels are located during the day. The master schedule is located in Appendix 12.

### **2. Building Information**

A. **(Insert School Name)** is made up of \_\_\_\_\_ building(s).

B. The school consists of a main campus located at \_\_\_\_\_

C. The school also includes the following buildings:

D. A map of the buildings annotated with evacuation routes, shelter locations, fire alarm pull stations, fire hydrants, fire extinguishers, first aid kits, hazardous materials storage, and utility shut offs is included in Appendix 4.

### 3. Hazard Analysis

A. A summary of the major hazards is provided in Figure 1. A complete hazard analysis and security audit has been completed for (Insert School Name). After reviewing the school's hazard analysis and security audit, it appears that the school is most likely to be affected by:

B. THIS IS A SAMPLE LIST OF POSSIBLE EVENTS. THE ACTUAL ANALYSIS OF THE INDIVIDUAL SCHOOL BUILDING WILL YEILD A SIMILAR OR COMPLETELY DIFFERENT LIST)

1. Earthquake, Flash Flooding, Flooding (River or Tidal), Tornado, Wildfire, Winter Storm, Chemical / Hazardous Materials, Dam Failure, Fire, Nuclear Facility Incident, Power Outage, Water System Failure, Accidents (Transportation), Medical Emergency, Mass Contamination, Apparent Suicide, Bomb Threat, Civil Disorder, Death on Campus, Explosion, Hostage Situation, Intruder, Kidnapping / Abduction, Report of Weapon on Campus, and Sexual Assault.

**Figure 1: HAZARD SUMMARY**

	FREQUENCY	MAGNITUDE	WARNING TIME	SEVERITY	RISK PRIORITY
<i>NATURAL</i>					
EARTHQUAKE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
FLOODING (FLASH FLOOD, RIVER OR TIDAL)	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
TORNADO	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low

WILDFIRE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
WINTER STORM	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
<i>HUMAN MADE</i>					
CHEMICAL/HAZARDOUS MATERIALS	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
DAM FAILURE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
FIRE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
NUCLEAR FACILITY INCIDENT	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
POWER OUTAGE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
WATER SYSTEM FAILURE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
ACCIDENTS (TRANSPORTATION)	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low

MEDICAL EMERGENCY	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
MASS CONTAMINATION	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
APPARENT SUICIDE	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
BOMB THREAT	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
CIVIL DISORDER	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
DEATH ON CAMPUS	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
EXPLOSION	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
HOSTAGE SITUATION	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
INTRUDER	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
KIDNAPPING/ABDUCTION	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low

REPORT OF WEAPON ON CAMPUS	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
SEXUAL ASSAULT	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
TERRORISM	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low
WEAPONS ASSAULT	4 Highly likely 3 Likely 2 Possible 1 Unlikely	4 Catastrophic 3 Critical 2 Limited 1 Negligible	4 Minimal 3 6-12 hours 2 12-24 hours 1 24+ hours	4 Catastrophic 3 Critical 2 Limited 1 Negligible	High Medium Low

#### 4. Assumptions

Assumptions reveal the limitations of the Emergency and Crisis Response Plan by identifying what was assumed to be true during development. These allow users to foresee the need to deviate from the plan if certain assumptions prove not to be true during operations.

- A. (Insert School Name) will continue to be exposed to and subject to the impact of those hazards described in the Hazard Summary, as well as, lesser hazards and others that may develop in the future.
- B. It is possible for a major disaster to occur at any time, and at any place. In many cases, dissemination of warning to the public and implementation of increased readiness measures may be possible. However, some emergency situations occur with little or no warning.
- C. A single site emergency, i.e. fire, gas main breakage, etc, could occur at any time without warning and the employees of the school affected cannot, and should not, wait for direction from your local response agencies. Action is required immediately to save lives and protect school property.
- D. Following a major or catastrophic event, the school will have to rely on its own resources to be self-sustaining for up to 72 hours.
- E. There may be a number of injuries of varying degrees of seriousness to faculty, staff and/or students. However, rapid and appropriate response will reduce the number and severity of injury.
- F. Outside assistance will be available in most emergency situations. Since it takes time to summon external assistance, it is essential for this school to be prepared to carry out the initial emergency response on an independent basis.

G. Proper mitigation actions, such as creating a positive school environment, and fire inspections, can prevent or reduce disaster-related losses. Detailed emergency planning, training of staff, students and other personnel, and conducting periodic emergency drills and exercises can improve this school's readiness to deal with emergency situations.

H. A spirit of volunteerism among school employees, students and families will result in their providing assistance and support to emergency response efforts.

## **5. Limitations**

A. It is the policy of **(Insert School Name)** that no guarantee is implied by this plan of a perfect response system. As personnel and resources may be overwhelmed, **(Insert School Name)** can only endeavor to make every reasonable effort to respond to the situation, with the resources and information available at the time.

# **C. CONCEPT OF OPERATIONS**

## **1. Objectives**

A. The objectives of school emergency operations program are to protect the lives and well-being of its students and staff through the prompt and timely response of trained school personnel should an emergency affect the school. To meet these objectives, the school shall establish and maintain a comprehensive emergency operations program that includes plans and procedures, hazard analysis, security audits, training and exercise, and plan review and maintenance.

## **2. General**

A. It is the responsibility of **(Insert School Name)** officials to protect students and staff from the effects of hazardous events. This involves having the primary role in identifying and mitigating hazards, preparing for and responding to, and managing the recovery from emergency situations that affect school.

B. It is the responsibility of the school to provide in-service emergency response education for all school and office personnel.

C. It is the responsibility of the School Principal, or a designated person, to conduct drills and exercises to prepare school personnel as well as students for an emergency situation.

D. To achieve the necessary objectives, an emergency program has been organized that is both integrated (employs the resources of the district, school, local emergency responders, organized volunteer groups, and businesses) and comprehensive (addresses mitigation/prevention, preparedness, response, and recovery). This plan is one element of the preparedness activities.

E. This plan is based on a multi-hazard approach to emergency planning. It addresses general functions that may need to be performed during any emergency situation and identifies immediate action functional protocols as well as guidelines for responding to specific types of incidents.

F. The Incident Command System (ICS) will be used to manage all emergencies that occur within the district/school . We encourage the use of ICS to perform non-emergency tasks to promote familiarity with the system. All district and site personnel should be trained in ICS.

G. The National Incident Management System (NIMS) establishes a uniform set of processes, protocols, and procedures that all emergency responders, at every level of government, will use to conduct response actions. This system ensures that those involved in emergency response operations understand what their roles are and have the tools they need to be effective.

H. According to the U.S. Department of Homeland Security, school districts are among local agencies that must comply with NIMS. Compliance can be achieved through coordination with other components of local government and adoption of ICS to manage emergencies in schools. School district participation in local government's NIMS preparedness program is essential to ensure that emergency responder services are delivered to schools in a timely and effective manner. **(Insert School Name)** recognizes that staff and students will be first responders during an emergency. Adopting NIMS will enable staff and students to respond more effectively to an emergency and enhance communication between first responders and emergency responders. **(Insert School Name)** will work with its local government to become NIMS compliant. NIMS compliance for school districts includes the following:

1. Institutionalize the use of the Incident Command System – Staff and students tasked in the plan will receive ICS-100 training. ICS-100 is a web-based course available free from the Emergency Management Institute. All persons tasked in the Basic Plan or annexes will take the ICS-100 course.
2. Complete NIMS awareness course IS-700 NIMS: An Introduction. IS-700 is a web-based course available free from the Emergency Management Institute at: (<http://training.fema.gov/EMIWeb/IS/is700>). . All persons tasked in the Basic Plan or annexes will take the IS-700 course.
3. Participate in local government's NIMS preparedness program.

I. Personnel tasked in this plan are expected to develop and keep current standard operating procedures (SOP) that describe how emergency tasks will be performed. The school is charged with insuring the training and equipment necessary for an appropriate response are in place.

J. This plan is based upon the concept that the emergency functions that must be performed by the school generally parallel some of their



normal day-to-day functions. To the extent possible, the same personnel and material resources used for day-to-day activities will be employed during emergency situations. Because personnel and equipment resources are limited, some routine functions that do not contribute directly to the emergency may be suspended for the duration of an emergency. The personnel, equipment, and supplies that would normally be required for those functions will be redirected to accomplish emergency tasks.

### 3. Operational Guidance

#### A. Initial Response

1. School personnel are usually first on the scene of an emergency situation within the school. They will normally take charge and remain in charge of the emergency until it is resolved and will transfer command and incident management to the appropriate emergency responder agency with legal authority to assume responsibility. They will seek guidance and direction from local officials and seek technical assistance from state and federal agencies and industry where appropriate. **However, at no time will school officials transfer responsibility for student care.**
2. The Principal will be responsible for activating the school emergency operations plan and the initial response which may include:
  - a. **Evacuation** – When conditions are safer outside than inside a building. Requires all staff and students to leave the building immediately.
  - b. **Reverse Evacuation** – When conditions are safer inside a building than outside. Requires all staff and student to go to safe places in the building from outside the building.
  - c. **Lock down** – When a person or situation presents an immediate threat to students and staff in the building. All exterior doors and classroom doors are locked and students and staff stay in their offices, work areas and classrooms.
  - d. **Shelter-in-place** – When conditions are safer inside the building than outside. For severe weather sheltering, students and staff are held in the building safe areas and interior rooms or basement away from windows. For hazardous material release outdoors with toxic vapors, students and staff are to remain in their classrooms, windows and doors are sealed and all ventilation systems are shut off. Limited movement is allowed.. Taking shelter inside a sealed building is highly effective in keeping students and staff safe.

- e. **Drop, cover and hold** – Students and staff drop low, take cover under furniture, cover eyes, head with hands and arms and protect internal organs.

**B. Notification Procedures**

1. In case of an emergency at any district facility, the flow of information after calling 9-1-1, shall be from the school Principal to the district office. Information should include the nature of the incident and the impact, on the facility, students and staff.
2. In the event of a fire, any one discovering the fire shall activate the building fire alarm system. Unless there is a lock down incident or a shelter in place incident in progress, the building shall be evacuated. In the event that a lock down or shelter-in-place incident is in progress, the evacuation shall be limited to the area immediately in danger from the fire.
3. In the event the district is in receipt of information, such as a weather warning that may affect a school within the district, the information shall be provided to the school District Superintendent. Specific guidelines are found in the individual annexes and appendices.

**C. Training and Exercise**

1. **(Insert School Name)** understands the importance of training, drills, and exercises in the overall emergency management program. To ensure that district personnel and community first responders are aware of their duties and responsibilities under the school plan and the most current procedures, the following training, drill and exercise actions will occur.
2. Training and refresher training sessions shall be conducted for all school personnel. In case of academic staff, training should coincide with the first in-service day of the school year. Training for the remainder of the support staff shall be held at a time during the school year that will allow for maximum attendance. Records of the training provided including date(s), type of training and participant roster will be maintained.
3. Information addressed in these sessions will include updated information on plans and/or procedures and changes in the duties and responsibilities of plan participants. Discussions will also center on any revisions to additional materials such as annexes and appendices. Input from all employees is encouraged.
4. **(Insert School Name)** will plan for 3 Evacuation, 1 Severe Weather/Shelter-in place and 1 Bus Evacuation drill. **(Insert School Name)** is encouraged to plan 1 Law Enforcement exercises during the school year. The types of drills and exercises will be determined by the District Emergency Management Coordinator in compliance with the provisions of PA 94-600 (105 ILCS 128) also known as the School Safety Drill Act. .

5. (Insert School Name) will participate in any external drills or exercises sponsored by local emergency responders. Availability of school personnel and the nature of the drill or exercise shall govern the degree to which the district will participate as it relate to improving the school's ability to respond to and deal with emergencies.

**D. Implementation of the Incident Command System (ICS)**

1. The designated incident commander (IC) for the school will implement the ICS team and serve as the IC until relieved by a more senior or more qualified individual. The IC will establish an incident command post (ICP) and provide an assessment of the situation to local officials, identify response resources required, and direct the on-scene response from the ICP.

2. For disaster situations, a specific incident site may not yet exist in the initial response phase and the local Emergency Operations Center may accomplish initial response actions, such as mobilizing personnel and equipment and issuing precautionary warning to the public. As the potential threat becomes clearer and a specific impact site or sites identified, an Incident Command Post may be established at the school, and direction and control of the response transitioned to the IC. This scenario would likely occur during a community wide disaster.

**E. Source and Use of Resources**

1. (Insert School Name) will use its own resources to respond to emergency situations until emergency response personnel arrive. If additional resources are required, the following options exist:

A. Request assistance from volunteer groups active in disasters.

B. Request assistance from industry or individuals who have resources needed to assist with the emergency situation.

**4. Incident Command System**

A. (Insert School Name) intends to employ ICS in managing emergencies. ICS is both a strategy and a set of organizational arrangements for directing and controlling field operations. It is designed to effectively integrate resources from different agencies into a temporary emergency organization at an incident site that can expand and contract with the magnitude of the incident and resources on hand.

B. The Incident Commander is responsible for carrying out the ICS function of command—managing the incident. The IC may be the Superintendent or the building Principal initially, but may transfer to the appropriate emergency responder agency official. In order to clarify the roles, the school official in charge will be known as School Commander. The four other major management activities that form the basis of ICS are operations, planning, logistics, and finance/administration. For small-scale

incidents, the IC and one or two individuals may perform all of these functions. For larger emergencies, a number of individuals from different local emergency response agencies may be assigned to separate staff sections charged with those functions.

C. In emergency situations where other jurisdictions or the state or federal government are providing significant response resources or technical assistance, in most circumstances there will be a transition from the normal ICS structure to a Unified Command structure. Designated individuals from one or more response agencies along with the School Commander will work jointly to carry out the response. This arrangement helps to ensure that all participating agencies are involved in developing objectives and strategies to deal with the emergency.

## **5. Incident Command System (ICS)—Emergency Operations Center (EOC) Interface**

A. For community-wide disasters, the EOC will be activated. When the EOC is activated, it is essential to establish a division of responsibilities between the ICP and the EOC. A general division of responsibilities is outlined below. It is essential that a precise division of responsibilities be determined for specific emergency operations.

B. The IC is generally responsible for field operations, including:

1. Isolating the scene.
2. Directing and controlling the on-scene response to the emergency situation and managing the emergency resources committed there.
3. Warning the district/school staff and students in the area of the incident and providing emergency instructions to them.
4. Determining and implementing protective measures (evacuation or in-place sheltering) for the district/school staff and students in the immediate area of the incident and for emergency responders at the scene.
5. Implementing traffic control arrangements in and around the incident scene.
6. Requesting additional resources from the EOC.
7. The EOC is generally responsible for:
  - a. Providing resource support for the incident command operations.
  - b. Issuing community-wide warning.
  - c. Issuing instructions and providing information to the general public.
  - d. Organizing and implementing large-scale evacuation.
8. Organizing and implementing shelter and massive

arrangements for evacuees.

9. In some large-scale emergencies or disasters, emergency operations with different objectives may be conducted at geographically separated scenes. In such situations, more than one incident command operation may be established. If this situation occurs, it is particularly important that the allocation of resources to specific field operations be coordinated through the EOC.

## **6. Activities by Phases of Emergency Management**

A. This plan addresses emergency actions that are conducted during all four phases of emergency management.

### **B. Mitigation/Prevention**

1. **(Insert School Name)** will conduct mitigation/prevention activities as an integral part of the emergency management program. Mitigation/prevention is intended to eliminate hazards and vulnerabilities, reduce the probability of hazards and vulnerabilities causing an emergency situation, or lessen the consequences of unavoidable hazards and vulnerabilities. Mitigation/prevention should be a pre-disaster activity, although mitigation/prevention may also occur in the aftermath of an emergency situation with the intent of avoiding repetition of the situation. Among the mitigation/prevention activities included in the emergency operations program are:

2. Hazard Analysis
3. Identifying hazards
4. Recording hazards
5. Analyzing hazards
6. Mitigating/preventing hazards
7. Monitoring hazards
8. Security Audit

### **C. Preparedness**

1. Preparedness activities will be conducted to develop the response capabilities needed in the event an emergency. Among the preparedness activities included in the emergency operations program are:

- a. Providing emergency equipment and facilities.
- b. Emergency planning, including maintaining this plan, its annexes, and appendices.
- c. Involving emergency responders, emergency management personnel, other local officials, and volunteer groups who assist this school during emergencies in training opportunities.
- d. Conducting periodic drills and exercises to test emergency plans and training.

- e. Completing an After Action Review after drills, exercises and actual emergencies.
  - f. Revise plan as necessary.
- D. Response
  - 1. (Insert School Name) will respond to emergency situations effectively and efficiently. The focus of most of this plan and its annexes is on planning for the response to emergencies. Response operations are intended to resolve an emergency situation quickly, while minimizing casualties and property damage. Response activities include warning, first aid, light fire suppression, law enforcement operations, evacuation, shelter and mass care, light search and rescue, as well as other associated functions.
- E. Recovery
  - 1. If a disaster occurs, \_\_\_\_\_ will carry out a recovery program that involves both short-term and long-term efforts. Short-term operations seek to restore vital services to the school and provide for the basic needs of the staff and students. Long-term recovery focuses on restoring the school to its normal state. The federal government, pursuant to the Stafford Act, provides the vast majority of disaster recovery assistance. The recovery process includes assistance to students, families and staff. Examples of recovery programs include temporary relocation of classes, restoration of school services, debris removal, restoration of utilities, disaster mental health services, and reconstruction of damaged stadiums and athletic facilities.
- F. Emergencies Occurring During Summer or Other School Breaks
  - 1. If a school administrator or other emergency response team member is notified of an emergency during the summer (or when affected students are off-track if they attend year-round schools), the response usually will be one of limited school involvement. In that case, the following steps should be taken:
    - a. Institute the phone tree to disseminate information to Emergency Response Team members and request a meeting of all available members. The phone tree is located in Appendix 6.
    - b. Identify close friends/staff most likely to be affected by the emergency. Keep the list and recheck it when school reconvenes.
    - c. Notify staff or families of students identified in #2 and recommend community resources for support.
    - d. Notify general faculty/staff by letter or telephone with appropriate information.
    - e. Schedule faculty meeting for an update the week before students return to school.
    - f. Be alert for repercussions among students and staff.

When school reconvenes, check core group of friends and other at-risk students and staff, and institute appropriate support mechanisms and referral procedures.

## **D. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES**

### **1. Organization**

#### **A. General**

Most schools have emergency functions in addition to their normal day-to-day duties. During emergency situations, the normal organizational arrangements are modified to facilitate emergency operations. School organization for emergencies includes an executive group, emergency operations planning team, emergency response teams, emergency services, and support services.

#### **B. Executive Group**

The Executive Group provides guidance and direction for emergency management programs and for emergency response and recovery operations. The Executive Group includes the School Board, District Superintendent, District Emergency Management Coordinator, and School Principal.

#### **C. Emergency Operations Planning Team**

The Emergency Operations Planning Team develops emergency operations plan for the district or schools, coordinates with local emergency services to develop functional annexes as well as annexes for specific hazards, coordinates (Insert School Name) planning activities and recruits members of the school's emergency response teams. There will be an EOPT at the district level and planning team at each school. The Emergency Operations Planning Team at the school level includes District Emergency Management Coordinator, Principal, School Resource Officer, Counselor(s), and Nurse(s). The emergency operations planning team members are listed in Appendix 7.

#### **D. Emergency Response Team**

Emergency Response Teams assist the Incident Commander in managing an emergency and providing care for school employees, students and visitors before local emergency services arrive or in the event of normal local emergency services being unavailable. The Emergency Response Teams include \_\_\_\_\_

#### **E. Volunteer and Other Services**

This group includes organized volunteer groups and businesses who have agreed to provide certain support for emergency operations.

### **2. Assignment of Responsibilities**

#### **A. General**

1. For most emergency functions, successful operations require a coordinated effort from a number of personnel. To

facilitate a coordinated effort, district and school staff, and other school personnel are assigned primary responsibility for planning and coordinating specific emergency functions. Generally, primary responsibility for an emergency function will be assigned to an individual from the school that possesses the most appropriate knowledge and skills. Other school personnel may be assigned support responsibilities for specific emergency functions. A skills inventory for personnel is located in Appendix 12.

2. The individual having primary responsibility for an emergency function is normally responsible for coordinating preparation of and maintaining that portion of the emergency plan that addresses that function. Listed below are general responsibilities assigned to the, Teachers, Emergency Services, and Support Services. Additional specific responsibilities can be found in the functional annexes to this Basic Plan.

**B. Executive Group Responsibilities**

**1. The School Board**

- a. Establish objectives and priorities for the emergency management program and provide general policy guidance on the conduct of that program.
- b. Review school construction and renovation projects for safety.
- c. Appoint a district Emergency Management Coordinator to assist in planning and review.

**2. The District Superintendent**

- a. Obtain a resolution from the local school board giving needed authority and support to develop school emergency operations programs and plans.
- b. Initiate, administer, and evaluate emergency operations programs to ensure the coordinated response of all schools within the system.
- c. Authorize implementation of emergency preparedness curriculum.
- d. Meet and talk with the parents of students and spouses of adults who have been admitted to the hospital.
- e. Assign resources (persons and materials) to various sites for specific needs. This may include the assignment of school personnel from other school or community sites such as community emergency shelters.
- f. Authorize immediate purchase of outside services and materials needed for the management of emergency situations.
- g. Implement the policies and decisions of the governing body relating to emergency management.



- h. Coordinate use of school building(s) as public shelter(s) for major emergencies occurring in the city or county/
  - i. Coordinate emergency assistance and recovery.
- 3. The District Emergency Management Coordinator**
- a. Establish a school emergency operations plan review committee to approve and coordinate all emergency response plans.
  - b. Consult with the local Emergency Management Office to analyze system needs in regard to emergency preparedness, planning and education and to ensure coordination of the school plan with community emergency plans.
  - c. Develop and coordinate in-service emergency response education for all school personnel.
  - d. Gather information from all aspects of the emergency for use in making decisions about the management of the emergency.
  - e. Monitor the emergency response during emergency situations and provide direction where appropriate. Stay in contact with the leaders of the emergency service agencies working with the emergency.
  - f. Request assistance from local emergency services when necessary.
  - g. Serve as the staff advisor to the superintendent and principal on emergency management matters.
  - h. Keep the superintendent and principal appraised of the preparedness status and emergency management needs.
  - i. Coordinate local planning and preparedness activities and the maintenance of this plan.
  - j. Prepare and maintain a resource inventory.
  - k. Arrange appropriate training for district emergency management personnel and emergency responders.
  - l. Coordinate periodic emergency exercises to test emergency plans and training.
  - m. Perform day-to-day liaison with the state emergency management staff and other local emergency management personnel.
  - n. Serve as the school's Emergency Management Coordinator.
  - o. Organize the school's emergency management program and identify personnel, equipment, and facility needs.
  - p. Encourage incorporation of emergency preparedness material into regular Curriculum.

- q. Provide copies of the school plan to the district superintendent and local Emergency Management office.
- r. Monitor developing situations such as weather conditions or incidents in the community that may impact the school.
- s. Create Critical Incident Response Kits for each school with appropriate maps, floor plans, faculty and student rosters, photos, bus routes, and other pertinent information to help manage the emergency
- t. Establish an Incident Command Post

**4. The School Principal**

- a. Have overall decision-making authority in the event of an emergency at his/her school building until emergency services arrives.
- b. With the assistance of the Public Information Officer, keep the public informed during emergency situations.
- c. Keep school board informed of emergency status.
- d. Coordinate with organized volunteer groups and businesses regarding emergency operations.
- e. Ensure that the plan is coordinated with the district's plans and policies.
- f. Assign selected staff members to the Emergency Operations Planning Team who will develop the school's emergency operations plan.
- g. Ensure that school personnel and students participate in emergency planning, training, and exercise activities.
- h. Conduct drills and initiate needed plan revisions based on After Action Reports.
- i. Assign school emergency responsibilities to staff as required. Such responsibilities include but are not limited to:
  - 1. Provide instruction on any special communications equipment or night call systems used to notify first responders.
  - 2. Appoint monitors to assist in proper evacuation.
  - 3. Ensure that all exits are operable at all times while the building is occupied.
  - 4. Ensure a preplanned area of rescue assistance for students and other persons with disabilities within the building readily accessible to rescuers.

- j. Act as Incident Commander until relieved by a more qualified person or the appropriate emergency responder agency, and assist in a Unified Command.
5. **Emergency Operations Planning Team will:**
- a. In conjunction with the district and local emergency services create and maintain the Emergency Operations Plan.
  - b. In conjunction with the district and local emergency management officials, conduct a hazard analysis.
  - c. Organize Emergency Response Teams.
  - d. Recommend training for the Emergency Response Teams.
  - e. Establish a partner system to pair teachers and classes so that teachers assigned to an Emergency Response Team, can fulfill the duties. The classroom buddy list is located in Appendix 5.
  - f. Provide information to staff, student and community on emergency procedures.
  - g. Provide assistance during an emergency in accordance with designated roles.
  - h. Conduct debriefings at the conclusion of each emergency to critique the effectiveness of the emergency operations plan.
6. **Emergency Response Teams will:**
- a. Participate in the Community Emergency Response Team (CERT) program.
  - b. Create annexes for their specific emergency function.
  - c. Assist the superintendent and principal during an emergency by providing support and care for school employees, students and visitors during an emergency before local emergency services arrive or in the event of normal local emergency services being unavailable.
  - d. Provide the following functions when necessary and when performing their assigned function will not put them in harm's way:
    - 1. Facility evacuation - The Evacuation team will be trained to assist in the evacuation of all school facilities and to coordinate the assembly and the accountability of the employees and students once and evacuation has taken place.
    - 2. First aid - The First Aid team will be trained to provide basic first aid to injured students and/or staff.
    - 3. Search and rescue - The Search and Rescue team will be trained in search and rescue operations.

They will perform light search and rescue to find missing or trapped students and/or staff and note and record the situation for other responders.

4. Limited fire suppression - The Limited Fire Suppression team will be trained to provide light fire suppression and provide utility shut-off if necessary.

5. Damage assessment - The Damage Assessment team will be trained to conduct a building assessment of school buildings to evaluate whether or the building(s) are safe for occupation.

6. Student/Parent Reunification - The Student/Parent Reunification team will establish sites for the orderly dismissal of students to their parents.

7. Student supervision - The Student/Staff Supervision team will be responsible for supervising the students while emergency response activities are occurring.

8. Support and security - The Support and Security team will be responsible for securing the school grounds and make preparations for caring for students until it is safe to release them.

**7. Teachers will:**

- a. Prepare classroom emergency Go Kits.
- b. Participate in trainings, drills and exercises.
- c. Direct and supervise students en-route to pre-designated safe areas within the school grounds or to an off-site evacuation shelter.
- d. Check visually rooms and areas along the path of exit for persons who may not have received the evacuation notice. This process should not disrupt the free flow of students out of the building.
- e. Maintain order while in student assembly area.
- f. Verify the location and status of every student. Report to the incident commander or designee on the condition of any student that needs additional assistance.
- g. Establish a buddy system for students and teachers with disabilities.
- h. Remain with assigned students throughout the duration on the emergency, unless otherwise assigned through a partner system or until every student has been released through the official "student/family reunification process."

**8. Technology/Information Services will:**

- a. Coordinate use of technology.

- b. Assist in establishment/maintenance of emergency communications network.
- c. Assist in obtaining needed student and staff information from the computer files.
- d. Prepare and maintain an emergency kit that contains floor plans, telephone line locations, computer locations, and other communications equipment.
- e. Establish and maintain computer communication with the central office and with other agencies capable of such communication.
- f. Establish and maintain, as needed, a stand-alone computer with student and staff data base for use at the emergency site.
- g. As needed, report various sites involved in the communication system if there are problems in that system.

**9. Transportation will:**

- a. Establish and maintain school division protocols for transportation-related emergencies.
- b. Provide division-wide transportation for bus drivers.
- c. Establish and maintain plans for the emergency transport of district personnel and students
- d. Train all drivers and transportation supervisory personnel in emergency protocols involving buses and the school's emergency operations plan.

**10. The School Incident Commander will:**

- a. Assume command and manage emergency response resources and operations at the incident command post to resolve the emergency situation until relieved by a more qualified person or the appropriate emergency response agency official.
- b. Assess the situation, establish objectives and develop an emergency action plan.
- c. Determine and implement required protective actions for school response personnel and the public at an incident site.
- d. Appoint additional staff to assist as necessary.
- e. Work with emergency services agencies in a Unified Command.

**E. DIRECTION and CONTROL**

**1. General**

A. The Principal is responsible for establishing objectives and policies for emergency operations and providing general guidance for emergency response and recovery operations. In most situations, the Principal will

assume the role of Incident Commander. During disasters, he/she may carry out those responsibilities from the ICP.

B. The District Emergency Management Coordinator will provide overall direction of the response activities of the school. During emergencies and disaster, he/she will normally carry out those responsibilities from the ICP.

C. The Incident Commander assisted by a staff sufficient for the tasks to be performed, will manage the emergency response from the Incident Command Post until local emergency services arrive.

D. During emergency operations, the school administration retains administrative and policy control over their employees and equipment. However, personnel and equipment to carry out mission assignments are directed by the Incident Commander. Each emergency services agency is responsible for having its own operating procedures to be followed during response operations, but interagency procedures, such a common communications protocol and Unified Command, may be adopted to facilitate a coordinated effort.

E. If the school's own resources are insufficient or inappropriate to deal with an emergency situation, assistance from local emergency services, organized volunteer groups, or the State should be requested.

## **2. Emergency Facilities**

### **A. Incident Command Post**

1. School Incident Command post should be established on scene away from risk of damage from the emergency. Pre-determined sites for command posts outside the school building will be identified in cooperation with local emergency responder agencies. Initially, the ICP will most likely be located in the main office of the school, but alternate locations must be identified if the incident is occurring at that office.

2. Except when an emergency situation threatens, but has not yet occurred, and those situations for which there is no specific hazard impact site (such as a severe winter storm or area-wide utility outage), an Incident Command Post or command posts will be established in the vicinity of the incident site(s). As noted previously, the Incident Commander will be responsible for directing the emergency response and managing the resources at the incident scene.

## **3. Continuity of School Administration**

### **A. The line of succession for the principal is:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

B. The lines of succession for each position shall be in accordance with the SOPs established by the school.

## **F. READINESS LEVELS**

## **1. Readiness Levels**

Many emergencies follow some recognizable build-up period during which actions can be taken to achieve a gradually increasing state of readiness. A five-tier system is utilized. Readiness Levels will be determined by the Principal. General actions to be taken at each readiness level are outlined in the annexes to this plan; more specific actions will be detailed in departmental or agency SOPs.

## **2. Readiness Action Level Descriptions**

A. The following readiness action levels will be used as a means of increasing the school's alert posture. (Based on the U.S. Department of Homeland Security.) Suggested by the U.S. Department of Education)

1. Green – Low
  - a. Assess and update emergency operations plans and procedures.
  - b. Discuss updates to school and local emergency operations plans with emergency responders
  - c. Review duties and responsibilities of emergency response team members.
  - d. Provide CPR and first aid training for staff.
  - e. Conduct training and drills.
  - f. Conduct 100% visitor ID check
2. Blue - Increased Readiness
  - a. Review and upgrade security measures
  - b. Review emergency communication plan
  - c. Inventory, test, and repair communication equipment.
  - d. Inventory and restock emergency supplies
  - e. Conduct emergency operations training and drills
3. Yellow – Elevated
  - a. Inspect school buildings and grounds for suspicious activities.
  - b. Assess increased risk with public safety officials.
  - c. Review crisis response plans with school staff.
  - d. Test alternative communications capabilities.
4. Orange – High
  - a. Assign staff to monitor entrances at all times.
  - b. Assess facility security measures.
  - c. Update parents on preparedness efforts.
  - d. Update media on preparedness efforts.
  - e. Address student fears concerning possible emergency.
  - f. Place school and district emergency response teams on standby alert status.
5. Red – Severe

- a. Follow local and/or federal government instructions (listen to radio/TV).
- b. Activate emergency operations plan.
- c. Restrict school access to essential personnel.
- d. Cancel outside activities and field trips.
- e. Provide mental health services to anxious students and staff

## **G. ADMINISTRATION and SUPPORT**

### **1. Agreements and Contracts**

A. Should school resources prove to be inadequate during an emergency; requests will be made for assistance from local emergency services, other agencies, and industry in accordance with existing mutual-aid agreements and contracts and those agreements and contracts concluded during the emergency. Such assistance may include equipment, supplies, or personnel. All agreements will be entered into by authorized officials and should be in writing whenever possible. Agreements and contracts should identify the school district officials authorized to request assistance pursuant to those documents.

B. The agreements and contracts pertinent to emergency management that this school is party to are summarized in Appendix 1.

### **2. Reports**

#### **A. Initial Emergency Report**

This short report should be prepared and transmitted by the Principal from the Incident Command Post when an on-going emergency incident appears likely to worsen and assistance from local emergency services may be needed.

#### **B. Situation Report**

A daily situation report should be prepared and distributed by the Principal from the Incident Command Post during major emergencies or disasters.

#### **C. Other Reports**

Several other reports covering specific functions are described in the annexes to this plan.

### **3. Records**

#### **A. Record Keeping for Emergency Operations**

(Insert School Name) is responsible for establishing the administrative controls necessary to manage the expenditure of funds and to provide reasonable accountability and justification for expenditures made to support emergency operations. This shall be done in accordance with the established local fiscal policies and standard cost accounting procedures.

#### **B. Activity Logs**

1. The ICP and the district office shall maintain accurate logs recording key response activities, including:



- a. Activation or deactivation of emergency facilities.
- b. Emergency notifications to local emergency services.
- c. Significant changes in the emergency situation.
- d. Major commitments of resources or requests for additional resources from external sources.
- e. Issuance of protective action recommendations to the staff and students.
- f. Evacuations.
- g. Casualties.
- h. Containment or termination of the incident.

**4. Incident Costs**

A. The school shall maintain records summarizing the use of personnel, equipment, and supplies during the response to day-to-day incidents to obtain an estimate of annual emergency response costs that can be used in preparing future school budgets.

**5. Emergency or Disaster Costs**

A. For major emergencies or disasters, the school participating in the emergency response shall maintain detailed records of costs for emergency operations to include:

- 1. Personnel costs, especially overtime costs
- 2. Equipment operations costs
- 3. Costs for leased or rented equipment
- 4. Costs for contract services to support emergency operations
- 5. Costs of specialized supplies expended for emergency operations
- 6. These records may be used to recover costs from the responsible party or insurers or as a basis for requesting financial assistance for certain allowable response and recovery costs from the state and/or federal government.

**6. Preservation of Records**

A. In order to continue normal school operations following an emergency situation, vital records must be protected. These include legal documents, student files as well as property and tax records. The principal causes of damage to records are fire and water; therefore, essential records should be protected accordingly. Personnel responsible for preparation of annexes to this plan will include protection of vital records in its SOPs.

B. If records are damaged during an emergency situation, this school will seek professional assistance to preserve and restore them.

**7. Post-Incident and Exercise Review**

A. The Superintendent, District Emergency Management Coordinator, Emergency Operations Planning Team, and Emergency Response Teams

are responsible for organizing and conducting a critique following the conclusion of a significant emergency event/incident or exercise. The critique will entail both written and verbal input from all appropriate participants. Where deficiencies are identified, school personnel will be assigned responsibility for correcting the deficiency and a due date shall be established for that action.

## **H. PLAN DEVELOPMENT and MAINTENANCE**

### **1. Plan Development and Distribution of Planning Documents**

A. The Emergency Operations Planning Team is responsible for the overall development and completion of the Emergency Operations Plan, including annexes. The school Superintendent is responsible for approving and promulgating this plan.

#### **B. Distribution of Planning Documents**

1. The Superintendent shall determine the distribution of this plan and its annexes. In general, copies of plans and annexes should be distributed to those tasked in this document. Copies should also be set aside for the EOC and other emergency facilities.

2. The Basic Plan should include a distribution list that indicates who receives copies of the basic plan and the various annexes to it. In general, individuals who receive annexes to the basic plan should also receive a copy of this plan, because the Basic Plan describes the emergency management organization and basic operational concepts. The distribution list for the Basic Plan is located in Appendix 14.

#### **C. Review**

1. The Basic Plan and its annexes shall be reviewed annually by the School Emergency Operations Planning Team, emergency response agencies, and others deemed appropriate by school administration. The Superintendent will establish a schedule for annual review of planning documents.

#### **2. Update**

a. This plan will be updated based upon deficiencies identified during actual emergency situations and exercises and when changes in threat hazards, resources and capabilities, or school structure occur.

b. The Basic Plan and its annexes must be revised or updated as necessary. Responsibility for revising or updating the Basic Plan is assigned to the Emergency Operations Planning Team.

c. The Superintendent is responsible for distributing all revised or updated planning documents to all departments, agencies, and individuals tasked in those documents.

## **I. REFERENCES**

1. Office for Domestic Preparedness Emergency Response Planning for WMD/Terrorism Incidents Technical Assistance Program
2. Arizona Department of Education School Safety Plans and Resources
3. FEMA Independent Study Program: IS 362 Multi-Hazard Emergency Planning for Schools
4. Washington State Emergency Management Division in Partnership
5. Comprehensive All Hazard Planning Guide and Model School Plan for Washington State Schools
6. U.S. Department of Education Practical Information on Crisis Planning A Guide for Schools and Communities
7. Alaska Division of Homeland Security and Emergency Management: Safe Schools Training
8. Missouri State Emergency Management Agency Missouri All-Hazards Planning Guide for Schools
9. Jane's Safe Schools Planning Guide for All Hazards
10. Los Angeles Unified School District Model Safe School Plan
11. Fairfax County Public Schools Crisis Management Workbook
12. Chicago Public Schools Emergency Management Plan
13. Georgia Emergency Management Agency Family Reunification Protocol

## **APPENDIX 1**

### **Summary of Agreements and Contracts**

*Insert applicable agreements and contracts her for (INSERT SCHOOL NAME HERE)*

## APPENDIX 2

### Incident Command System Summary

#### Background

ICS is a management system that can be used to manage emergency incidents or non-emergency events such as celebrations. The system works equally well for small incidents and large-scale emergency situations. The system has built-in flexibility to grow or shrink based on current needs. It is a uniform system, so personnel from a variety of agencies and geographic locations can be rapidly incorporated into a common management structure.

#### Features of ICS

ICS has a number of features that work together to make it a real management system. Among the primary attributes of ICS are:

##### 1. Standard Management Functions

- a. Command:** Sets objectives and priorities and has overall responsibility at the incident or event.
- b. Operations:** Conducts tactical operations, develops the tactical objectives, and organizes and directs all resources.
- c. Planning:** Develops the action plan to accomplish the objectives, collects and evaluates information, and maintains the resource status.
- d. Logistics:** Provides support to meet incident needs, provides resources and all other services needed to support.
- e. Finance/Administration:** Monitors costs, provides accounting, procurement, time recording, and cost analysis.

2. The individual designated as the Incident Commander (IC) has responsibility for all functions. In a limited incident, the IC and one or two individuals may perform all functions. In a larger emergency situation, each function may be assigned to a separate individual.

3. Management By Objectives. At each incident, the management staff is expected to understand agency or jurisdiction policy and guidance, establish incident objectives, select an appropriate strategy to deal with the incident, develop an action plan and provide operational guidance—select tactics appropriate to the strategy and direct available resources.

4. **Unity and Chain of Command.** Unity of command means that even though an incident command operation is a temporary organization, every individual should be assigned a designated supervisor. Chain of command means that there is an orderly line of authority within the organization with only one Incident Commander and each person reporting to only one supervisor.

5. **Organizational Flexibility.** Within the basic ICS structure (depicted in Appendix 2), the organization should at any given time include only what is required to meet planned objectives. The size of the organization is determined through the incident action planning process. Each element of the organization should have someone in charge; in some cases, a single individual may be in charge of more than one unit. Resources are activated as needed and resources that are no longer needed are demobilized.

6. **Common Terminology.** In ICS, common terminology is used for organizational elements, position titles, resources, and facilities. This facilitates communication among personnel from different emergency services, agencies, and jurisdictions.

7. **Limited Span of Control.** Span of control is the number of individuals one supervisor can realistically manage. Maintaining an effective span of control is particularly important where safety is paramount. If a supervisor is supervising fewer than 3 subordinates or more than 7, the existing organization structure should be reviewed.

8. **Personnel Accountability.** Continuous personnel accountability is achieved by using a resource unit to track personnel and equipment, keeping an activity log, ensuring each person has a single supervisor, check in/out procedures, and preparing assignment lists.

9. **Incident Action Plan.** The incident action plan, which may be verbal or written, is intended to provide supervisory personnel a common understanding of the situation and direction for future action. The plan includes a statement of objectives, organizational description, assignments, and support material such as maps. An Incident Briefing Form may be used on smaller incidents.

Written plans are desirable when two or more jurisdictions are involved, when state and/or federal agencies are assisting local response personnel, or there has been significant turnover in the incident staff.

10. **Integrated Communications.** Integrated communications includes interfacing disparate communications as effectively as possible, planning for the use of all available systems and frequencies, and requiring the use of clear text in communications.

11. **Resource Management.** Resources may be managed as single resources or organized in task forces or strike teams. The status of resources is tracked in three categories: assigned, available, and out of service.

## **Unified Command**

1. Unified Command is a variant of ICS used when there is more than one agency or jurisdiction with responsibility for the incident or when personnel and equipment from a number of different agencies or jurisdictions are responding to it. This might occur when the incident site crosses jurisdictional boundaries or when an emergency situation involves matters for which state and/or federal agencies have regulatory responsibility or legal requirements to respond to certain types of incidents.
2. ICS Unified Command is intended to integrate the efforts of multiple agencies and jurisdictions. The major change from a normal ICS structure is at the top. In a Unified command, senior representatives of each agency or jurisdiction responding to the incident collectively agree on objectives, priorities, and an overall strategy or strategies to accomplish objectives; approve a coordinated Incident Action Plan; and designate an Operations Section Chief. The Operations Section Chief is responsible for managing available resources to achieve objectives. Agency and jurisdictional resources remain under the administrative control of their agencies or jurisdictions, but respond to mission assignments and direction provided by the Operations Section Chief based on the requirements of the Incident Action Plan.

## APPENDIX 3

### Incident Command Structure

Insert ICS staff assignments and back-up personnel assignments here

<div><div>School Commander</div><div>1. _____ 2. _____</div><div>Alternate School Commander(s)</div></div>			
<div><div>Public Information Officer</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Acts as a liaison between school and public (including media)</div></div>		<div><div>Safety Officer</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Ensures the safety of the students, staff, and others on campus is the highest priority</div></div>	
		<div><div>Liaison Officer</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Acts as a point of coordination between the Incident Command and other public agencies and</div></div>	
<div><div>Operations</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Handles all emergency response jobs, including taking care of students as well as handling the challenges of the emergency</div></div>	<div><div>Planning</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Responsible for tracking both available and needed resources, assessing the changing situation, documenting the response, and managing the large site map at the Command Post</div></div>	<div><div>Logistics</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Manages personnel, supplies, and equipment. During a response, the Logistics Team is responsible for handing out supplies and equipment, deploying unassigned people for work.</div></div>	<div><div>Finance &amp; Administration</div><div>_____</div><div>Alternates</div><div>1. _____</div><div>2. _____</div><div>Responsible for buying materials and keeping financial records of expenditures and employee hours</div></div>



## APPENDIX 4

### Campus Map

*Insert map of campus and surrounding area. At minimum, include the following information on the map:*

- *Primary evacuation routes*
- *Alternate evacuation routes*
- *Handicap evacuation areas*
- *Utility access/shut-off for*
- *Gas*
- *Water*
- *Electricity*
- *HVAC System*
- *Telephone System*
- *Site assignments and Staging Areas*
- *Hazardous Material storage areas*
- *Heat plants/boilers*
- *Room numbers*
- *Door/window locations*
- *Any other information deemed appropriate by your planning committee*

*Note:*

- *Primary and Alternative evacuation route maps should be posted in each room of each building on campus.*
- *It is recommended that you develop a diagram of the entire campus site and surrounding areas. In an emergency, a diagram may be easier to read than blueprints. Consult with your local emergency responder agencies on what type of maps they prefer. Blueprints of the site should also be available in addition to the map or diagram. Blueprints may be necessary in certain fire or tactical situations.*

## **APPENDIX 5**

### **Classroom Teacher Buddy List**

#### **Guidelines for Preparing a Buddy Teacher List**

- Assign teachers in adjacent or nearby rooms as buddies.
- Review evacuation routes and procedures with entire staff.
- During an emergency, teachers should conduct a classroom status check and buddy teachers should check with each other to determine each other's health status, the need to assist with injuries, the need to stay with injured students, etc. If possible, injured students should not be left alone.
- Remember: The teachers' responsibility is to all students, but in situations that threaten the lives of all, teachers should do the greatest good for the greatest number.
- If necessary, one buddy teacher should evacuate both classrooms. In these cases, the students should exit without the teacher leading them. The teacher should stay back to check the classroom and close the door (but not lock it). If both buddy teachers are available for evacuation, one should lead and one should bring up the rear, checking briefly to make sure that both classrooms are empty and closing doors.
- Ensure that each classroom contains a "go kit" that contains the teacher's class roster and the buddy teacher's class roster.
- Immediately following student accounting, one member of each buddy team must check in at the Command Post.
- In emergency situations that do not involve evacuation, it may be necessary to move all students from one buddy's classroom into the other. One teacher is then available for assignments.
- Ensure that substitute teachers are familiar with emergency procedures and who their buddies are.



## **APPENDIX 6**

### **Phone Tree**

**Insert phone tree**

## **APPENDIX 7**

### **Emergency Operations Planning Team**

<b><u>Title/Name</u></b>	<b><u>Phone Number</u></b>	<b><u>Email Address</u></b>	<b><u>Other</u></b>
<b>District Emergency Management Coordinator</b>			
<b>Principal</b>			
<b>School Resource/ Liaison Officer</b>			
<b>Building &amp; Grounds Supervisor</b>			
<b>Transportation Director</b>			
<b>Counselor(s)</b>			
<b>Nurse(s)</b>			
<b>Other Staff</b>			

## **APPENDIX 8**

### **Emergency Contact Numbers**

#### **Public Safety Agencies Number**

- General Emergency
- Police/Sheriff/Fire
- Poison Control
- Local Hospital

#### **District Contacts Number**

- Superintendent
- School Safety
- Transportation
- Operations
- Food Services
- Health Services

#### **School Contacts Number**

- Principal
- Assistant Principal
- School Nurse
- Counselor
- School-Based Law Enforcement
- Resource Officer
- Maintenance Department

**NOTE:** Determine the appropriate sequence required to **dial 911** from your sites phone system.

## **APPENDIX 9**

### **Resource Inventory**

Insert resource inventory of emergency equipment.

**Include:**

- Communications equipment
- First aid supplies
- Fire fighting equipment
- Lighting
- Classroom emergency kits
- Food
- Water
- Blankets
- Maintenance supplies
- Tools

**Note:** Identify any and all available resources that may be used or may be needed in the event of emergency. Also identify the locations of these emergency supplies.

## **APPENDIX 10**

### **Same 'School/Parent' Letter**

X/XX/XXX

Dear Parents:

Should an emergency or disaster situation ever arise in our area while school is in session, we want you to be aware that the schools have made preparations to respond effectively to such situations.

Should we have a major disaster during school hours, your student(s) will be cared for at this school. Our School District has a detailed emergency operations plan which has been formulated to respond to a major catastrophe.

Your cooperation is necessary in any emergency.

1. Do not telephone the school. Telephone lines may be needed for emergency communication.
2. In the event of a serious emergency, students will be kept at their schools until they are picked up by an identified, responsible adult who has been identified as such on the school emergency card which is required to be filled out by parents at the beginning of every school year. Please be sure you consider the following criteria when you authorize another person to pick up your child at school:
  - He/she is 18 years of age or older.
  - He/she is usually home during the day.
  - He/she could walk to school, if necessary.
  - He/she is known to your child.
  - He/she is both aware and able to assume this responsibility.
3. Turn your radio to for emergency announcements. If students are to be kept at school, radio stations will be notified. If electrical service is not affected, information will be relayed via the School District cable on Channel. In addition, information regarding day-to-day school operations will be available by calling the District Office.
4. Impress upon your children the need for them to follow the directions of any school personnel in times of an emergency



Students will be released only to parents and persons identified on the School District Emergency Card. During an extreme emergency, students will be released at designated reunion gates located on school campuses. Parents should become familiar with the School Emergency Disaster Plan and be patient and understanding with the student release process. Please instruct your student to remain at school until you or a designee arrives. Because local telephone service may be disrupted, also list an out-of-State contact on the emergency card, as calls may still be made out of the area while incoming calls are affected.

The decision to keep students at school will be based upon whether or not streets in the area are open. If this occurs, radio stations will be notified. In the event that a natural disaster takes place during the time that students are being transported, students will be kept on the bus and the driver will ask for assistance through radio contact with the school and district personnel. Any child who is home waiting for the bus will not be picked up (if roads are impassable) and remains the responsibility of the parent or guardian.

In the event a natural disaster occurs in the afternoon, the driver will make every attempt to continue delivering the students to their homes. Should road conditions prevent the driver from delivering students to their home or to school in the morning, the students will be delivered to the nearest school site and that school will communicate with the home school to inform them of the students' whereabouts.

In case of a hazardous release event (chemical spill) near the school area, Shelter-in-Place procedures will be implemented to provide in place protection. All students and staff will clear the fields, report to their rooms and all efforts will be made to prevent outside air from entering classrooms during the emergency. "Shelter-in-Place" signs will be placed in classroom windows or hung outside classroom doors during a drill or emergency. Students arriving at school during a Shelter-in-Place drill or event should report to the school office or to a previously designated area at the school because classrooms will be inaccessible.

When the dangerous incident has subsided, an all-clear signal will be given. Please discuss these matters with your immediate family. Planning ahead will help alleviate concern during emergencies.

Sincerely,  
Principal  
(Insert School Name)

# APPENDIX 11

## Staff Skills Survey & Inventory

Name & School \_\_\_\_\_ / \_\_\_\_\_  
Name School Room #

During any disaster situation, it is important to be able to draw from all available resources. The special skills, training and capabilities of the staff will play a vital role in coping with the effects of any disaster incident, and they will be of paramount importance during and after a major or catastrophic disaster. The purpose of this survey/inventory is to pinpoint those staff members with equipment and the special skills that might be needed. Please indicate the areas that apply to you and return this survey to your administrator.

**PLEASE CHECK ANY OF THE FOLLOWING IN WHICH YOU HAVE EXPERTISE & TRAINING.  
CIRCLE YES OR NO WHERE APPROPRIATE.**

\_\_\_\_ First Aid (current card yes/no)      \_\_\_\_ CPR (current yes/no)      \_\_\_\_ Triage      \_\_\_\_ Firefighting  
\_\_\_\_ Construction (electrical, plumbing, carpentry, etc.)      \_\_\_\_ Running/Jogging/physical fitness  
\_\_\_\_ Emergency Planning      \_\_\_\_ Emergency Management      \_\_\_\_ Search & Rescue  
\_\_\_\_ Law Enforcement      Bi/Multi-lingual (what language (s)) \_\_\_\_\_  
\_\_\_\_ Mechanical Ability      \_\_\_\_ Structural Engineering      \_\_\_\_ Bus/Truck Driver  
(CDL yes/no)  
\_\_\_\_ Shelter Management      \_\_\_\_ Survival Training & Techniques      \_\_\_\_ Food Preparation  
\_\_\_\_ Military Experience (current      \_\_\_\_ CB/Ham Radio Operator      \_\_\_\_ Journalism  
(reserves/national guard yes/no)  
\_\_\_\_ Camping      \_\_\_\_ Waste Disposal      \_\_\_\_ Recreational Leader

DO YOU KEEP A PERSONAL EMERGENCY KIT? \_\_\_\_\_ In your car? \_\_\_\_\_ In your room? \_\_\_\_\_

DO YOU HAVE MATERIALS IN YOUR ROOM THAT WOULD BE OF USE DURING AN EMERGENCY?  
(i.e., athletic bibs, traffic cones, carpet squares, first aid kit, tarps, floor mats, etc.) \_\_\_\_\_ Yes \_\_\_\_\_ No

DO YOU HAVE EQUIPMENT OR ACCESS TO EQUIPMENT OR MATERIALS AT YOUR SCHOOL SITE THAT  
COULD BE USED AN IN EMERGENCY? \_\_\_\_\_ YES \_\_\_\_\_ NO  
PLEASE LIST EQUIPMENT AND MATERIALS.

\_\_\_\_\_  
\_\_\_\_\_

COMMENTS \_\_\_\_\_

\_\_\_\_\_

WHAT WOULD MAKE YOU FEEL MORE PREPARED SHOULD A DISASTER STRIKE WHILE YOU WERE  
AT SCHOOL?

\_\_\_\_\_  
\_\_\_\_\_

## **APPENDIX 13**

### **Master Campus Schedule**

Insert Master Campus Schedule

**APPENDIX 13**

**Emergency Response Drill Log**

**School:** \_\_\_\_\_ **District:** \_\_\_\_\_

Date	Type of Drills	Comments
•		

## **APPENDIX 14**

### **Distribution List**

**Insert Distribution List**

## **APPENDIX 15**

### **Security Audit**

**Insert Security Audit information**

## **K. ANNEX - Restricted Information**

### **1. PLANNED RESPONSES - ACTION GUIDES**

- A. Functional Protocols-Immediate Response Actions
  - Evacuation Procedures
  - Reverse Evacuation
  - Lockdown
  - Shelter-in-Place Procedures
  - Drop, Cover and Hold Procedures
  - Off-Campus Evacuation
  - Mental Health/Crisis Intervention
  
- B. Incident Specific Procedures
  - Bomb Threat/Suspicious Packages
  - Bus Accidents
  - Fires
  - Intruder/Active Shooter/Hostage Situation
  - Nuclear Power Plant Accident
  - Severe Weather
  - Hazardous Materials Release (indoors and outdoors)
  - Earthquakes
  - Active Shooter/Armed Intruder
  - Utilities Loss or Failure
  - Media
  - Structural Failure
  - Medical Emergency
  - Public Health Emergency

## Functional Protocols (District-wide)

Functional protocols form the district-wide core responses to incidents in the Emergency and Crisis Response Plan. These are written action steps that are implemented when a crisis situation calls for specific response procedures which include:

- lockdown,
- evacuation,
- reverse evacuation,
- shelter-in place,
- duck and cover,
- family reunification,
- off-campus evacuation and
- crisis intervention (mental health)

The difference between a functional protocol and an incident specific procedure is that a single functional protocol may be included in one or more specific emergencies. For example, shelter-in-place may be included one of several responses to an outside hazardous material spill and may include reverse evacuation into the building and/or an off campus evacuation, depending on the circumstances. A school shooting would result initially in a lockdown, and then off campus evacuation, family reunification and crisis intervention (counseling/post trauma stress debriefing).

## Evacuation

***Purpose:*** *Whenever it is determined that it is safer outside than inside the building (I.E., fire, explosion, hazardous material spill inside, structural failure, etc.)*

### **School Commander:**

- Designate someone to Call 9-1-1, identify the name of the school, describe the emergency, state the school is evacuating, and identify the location of the school command post.
- The School Commander or designee will make the following announcement using the building Public Address system, 2-way radio, telephone, or megaphone:

“YOUR ATTENTION, PLEASE. WE NEED TO INSTITUTE AN EVACUATION OF THE BUILDING. TEACHERS ARE TO TAKE THEIR STUDENTS TO THEIR DESIGNATED ASSEMBLY AREA. TEACHERS TAKE YOUR CLASS ROSTER AND TAKE A HEADCOUNT AT THE ASSEMBLY AREA.”

- Notify the district office of the school evacuation.
- Designate someone to contact the Transportation Director or bus service to take students to the alternate off-campus relocation site.

### **Office staff:**

- Take visitor log and student sign out sheet to the assembly area.



- Gather headcount information from teachers and inform the principal or incident commander of any missing student(s) or staff.

#### **Teachers:**

- Teachers will instruct students to evacuate the building, using designated routes, and report to their assigned Assembly Area. Designate a student leader to help move your class to the assembly area
- Close your door, turn off your lights
- If the exit route is blocked, follow an alternate exit route.
- Bring your class lists, phone lists, and classroom Go Kit materials
- All staff will sweep the bathrooms, hallways and common areas for visitors, staff and students while exiting.
- Take attendance, specially noting any students in other activities or services such as band, orchestra, choir, speech, chess, etc. that are missing. Display GREEN status card to indicate all students accounted for or use RED status card to indicate someone is missing or injured. Report any missing students or staff to the area coordinators
- • At the assembly area, teachers and students will stay in place until further instructions are given.

#### **Support Staff:**

- Return all of your students to their classroom designated assembly areas or a buddy teacher, avoiding area(s) of hazard
- Report to the Unassigned Staff Area. You may be needed in another capacity as the incident unfolds

## **Reverse Evacuation**

***Purpose:*** *When conditions are safer inside the building than outside such as: severe weather, community emergency, gang activity, hazardous material release outside, etc.)*

#### **School Commander:**

- Order a **REVERSE EVACUATION** for students and staff outside to move inside the building. Use the building PA, megaphone, 2-way radio telephones, or runners to gather school community inside.
- Notify the district office of the situation.

#### **Teachers:**

- Immediately move back to classrooms or safe areas (if it is safe to do so) using the closest entry.
- If movement into the building would present a danger to persons outside, teachers and staff outside will direct students to the designated assembly areas or off-campus assembly site.

- Teachers will take attendance and account for all students. Report any missing students to administration
- No students or staff are allowed outside the building..
- Close and lock all exterior doors and windows. Monitor the main entries until the “All Clear” is given.

## **Lockdown**

***Purpose:*** *Used when there is a threat of violence or serious incident that could jeopardize the safety of students/staff (I.E. Intruder, shooting, hostage incident, gang fights, civil disturbance, etc.)*

### **School Commander:**

- The School Commander or designee will make the following announcement using the building Public Address system, 2-way radio, telephone, or megaphone:

“YOUR ATTENTION, PLEASE. WE ARE EXPERIENCING AN EMERGENCY SITUATION AND NEED TO LOCKDOWN THE SCHOOL IMMEDIATELY. TEACHERS LOCK YOUR DOORS AND KEEP STUDENTS INSIDE UNTIL FURTHER NOTICE: STUDENTS OR STAFF ARE TO RETURN TO THE NEAREST CLASSROOM OR OFFICE. IGNORE ALL ALARMS AND BELLS UNLESS ADVISED OTHERWISE.”

- Designate someone to Call 9-1-1, identify the name and address of the school, describe the emergency, state the school is locking down, provide intruder description and weapon(s) if known, and identify the location of the school command post. Direct staff to stay on the phone to provide updates and additional information.
- Notify staff and classes outside to immediate move to the off-campus assembly area(s), account for the students and be prepared to evacuate off-campus to a relocation site.
- Direct staff to switch bells to manual mode and deactivate the fire alarm.
- Notify the transportation director or contractual bus service to stop all inbound buses and redirect them to designated relocation site(s).
- Notify district office
- Direct staff to turn off alarms and bells

### **Office Staff:**

- Stay by the phones to wait for additional procedures from district office and incident commander.
- Remotely check status of classrooms via PA., telephone, computer or other methods
- Assist the principal or Incident Commander establishes the school command post.

### **Custodians:**

- Close and lock all delivery doors.

- Direct any contractors, delivery drivers, or vendor repairmen located inside the building into a safe area and lock the door.

**Teachers:**

- Clear the hallway and bathrooms by your room moving everyone into the classroom.
- Lock your doors, turn off your lights, and shut your blinds and windows
- Move students and staff away from the doors and windows.
- Have all persons sit down against an interior wall.
- Place a GREEN or RED status card on/under your door and window. (Green signifies everything is ok, Red means emergency assistance is need)
- If a life threatening situation exists, exit immediately to a place of safety.
- Ignore all bells and alarms unless otherwise instructed
- Take attendance and be prepared to notify Incident Commander of missing students or additional students, staff or guests sheltered in your classroom.
- Allow no one outside of the classroom until the Incident Commander gives the “All Clear” signal.
- If outside, teachers will move students to the designated off-campus assembly area and wait for further instructions

***\*Consider using a duress code to authenticate any all-clear signal\****

***(This is a specific word or phrase that is used prior to giving the all clear signal that indicates to all staff that the person signaling the all clear is not being forced to do so by an intruder)***

## **Shelter-in-Place**

***Purpose:** Provides a refuge for students, staff and the public inside the school building during an emergency such as severe weather or hazardous material release outdoors. Shelters are located in areas of the building that maximize the safety of occupants. Shelter-in-place is used when evacuation would place people at risk. Shelters may change depending on the emergency.*

**School Commander:**

- The School Commander or designee will make the following announcement using the building Public Address system, 2-way radio, telephone, or megaphone:

“YOUR ATTENTION, PLEASE. WE ARE EXPERIENCING AN EMERGENCY SITUATION AND NEED TO IMPLEMENT SHELTER-IN-PLACE PROCEDURES. STUDENTS AND STAFF ARE DIRECTED TO MOVE TO THE DESIGNATE SHELTER LOCATIONS AND SAFE AREAS. ALL STAFF AND STUDENTS OUTSIDE ARE TO IMMEDIATELY MOVE TO THE PROTECTION OF AN INSIDE ROOM.”

- Order a **REVERSE EVACUATION** for students and staff outside to move inside the building. Use the building PA, megaphone, 2-way radio, telephones, or runners to gather staff and students inside.

- Direct staff to close all windows and doors.
- If warranted, order the shut-off of heating, ventilation and air conditioning system to stop the inflow of outside air into the building.
- Notify district office the school is **SHELTERING-IN-PLACE**.
- Monitor the NOAA weather radio
- Be prepared to announce change in status (“DROP, COVER AND HOLD” or “All Clear”)

**Custodians:**

- Shut off utilities (if necessary).
- Turn off ventilation systems (Heating, ventilation and air conditioning) as appropriate.
- Post Shelter in Place cards at the primary entrances to the building(s).

**Teachers:**

- Move students into designated safe areas such as inside rooms with no windows, bathrooms, utility closets, and hallway without large windows or doors.
- Close classroom doors and windows when leaving.
- Have everyone kneel down and be ready to cover their heads to protect from debris.
- If outside, teachers will direct students into the nearest school building interior safe area or other appropriate shelter.
  - a. For severe weather, if there is no time to get into a building or shelter, attempt to squat or lie low in the nearest (ravine or open ditch) or low spot away from trees and power poles.
  - b. If movement into the building would expose persons to hazardous chemical plume, teachers should move to designated outdoor assembly areas upwind or cross-wind from the spill.
- Move students from mobile classrooms to an interior safe area in a permanent structure.
- All persons must remain in shelter until notified by the Incident Commander or emergency responders.

## **Drop, Cover and Hold**

***Purpose:*** Drop, Cover and Hold is used when an incident occurs with little or no warning. This action is taken to protect students and staff from flying or falling debris resulting from explosions, structural failures, severe weather or earthquake.

- Inside, teachers will instruct students to duck under their desks and cover their heads with their arms and hands.
- All students and staff who have moved to shelter or safe areas in the building in response to severe weather, should kneel down against the wall and cover their head with their arms and hands.

- Outside, teachers will instruct students to drop to the ground, place their heads between their knees and cover their head and eyes with their arms and hands.
- Instruct everyone to move away from windows.
- Teachers should account for their students and report any student missing to the administration.
- The School Commander may order an evacuation if the situation warrants and it is safe to do so.

## **Off-Campus Evacuation**

***Purpose:*** *This protocol is used when circumstances require the off-site evacuation and relocation of students and staff to a remote site where students will be accounted for and released to their parents or guardians. During emergencies, parent, relatives, and friends often rush to the school incident site to check on the safety of students and staff. The resulting blockage of streets and large number of people can severely hamper response actions by emergency agencies. The most effective way to prevent this chaos is to redirect those concerned individuals to a site that is remote from the school and to evacuate students and staff to that site.*

### **School Commander:**

- The School Commander will advise the Incident Commander of the decision to implement the protocol and begin setting up the bus evacuation staging area.
- Determine the appropriate pre-designated relocation site and evacuation route. Decide if it is safe for the students/staff to walk to the relocation or if buses are required.
- Request law enforcement to provide security at the evacuation staging area, along the evacuation route and for traffic control/security at the relocation site during Family Reunification.
- The School Commander or designee will order an OFF-CAMPUS EVACUATION and FAMILY REUNIFICATION at a pre-designated relocation site with the following announcement:

“YOUR ATTENTION PLEASE. FOR SAFETY REASONS, WE ARE EVACUATING OFF SITE TO \_\_\_\_\_ LOCATED AT \_\_\_\_\_. WE WILL BE IMPLEMENTING THE FAMILY REUNIFICATION FROM THAT LOCATION.”

- Direct staff to move students to the evacuation staging area for loading onto buses.
- Notify the district office and Superintendent of the evacuation and relocation. Request assistance in preparing the site for arrival. Provide an update on the situation, identify the primary relocation site, the evacuation route and if needed, request buses or alternate means of transportation.

- Request the district office to activate appropriate system-wide Crisis Response Teams from each school and send them to the relocation site to assist with Family Reunification.
- Provide the school media/public information representative with detailed instructions via fax or prepared information release to read to the public in order to direct concerned relatives to the Family Reunification Site.
- Designate someone as the Reunification Site Commander.

### **Teachers and staff**

- Take your class roster, phone lists and emergency Go Kit as you exit to the designated assembly area.
- After evacuating, take roll and account for all students. Report any missing students to school administration. Hold up the RED status card to indicate you have missing or injured students. Use the GREEN status card if everything is ok.
- Maintain control of your class. After receiving the alert for OFF CAMPUS EVACUATION, guide students to the designated evacuation staging area for movement to the relocation site.
- Ensure special needs students and staff are assisted. Request help if needed.
- While en route to the relocation site, the teachers will prepare list of all evacuees on the bus, which will be delivered to the reunification site commander upon arrival.
- Follow the instructions of the Family Reunification site staff when you arrive. You may be asked to assist in staffing the site.

## **FAMILY REUNIFICATION**

***Purpose:*** *The Family Reunification Protocol is used to ensure a safe and secure means of accounting for students and reuniting parents/guardians with their children whenever the school facility or grounds is rendered unsafe and a remote site is needed.*

### **School Commander:**

- The School Commander after consulting with the Incident Commander will determine the appropriate pre-designated relocation site and safe evacuation route.
- The School Commander will notify the contact person at the relocation site to prepare for arrival of students.
- Designate a Reunification Site Commander.
- Request the District Office to send personnel to staff the Family Reunification Center.

### **Reunification Site Commander:**

- Establish a command post
- Organize public safety and mental health/crisis response staff who will be reporting to the site. Use them to calm waiting parents/guardians and explain that an orderly process is required for the safety of the students.
- Check identification of all non-uniformed personnel who arrive to assist.

- Secure a holding area for arriving students and staff away from waiting family members
- Set up an adult report area for parents/guardians to sign-in and to check identification.
- Set up a student release area where students will be escorted to meet their parent/guardian and sign out.
- Set up a mental health area and direct staff to escort parent/guardian of any injured, missing or deceased student to the area for staff to provide notification in private away from other parents.
- Set up a media staging area and notify the school media liaison of the location.
- Keep evacuees on buses or in a holding area separate from parents until they can be signed out to waiting parents/guardians.
- Only release students to authorized persons after checking proof of identity and signing a student release form.
- Instruct parents/guardians to leave the site to make room for others once they have signed out their student.

#### **Teachers**

- Provide a list of evacuees to the reunification site staff upon arrival.
- Ensure special needs students and staff are assisted. Request help if needed.
- Follow the instructions of the Family Reunification Center staff when you arrive. You may be asked to assist in staffing the site.

## **Mental Health/Crisis Intervention**

***Purpose:*** *These procedures are intended to guide staff in responding to more frequently occurring crisis such deaths, injuries, emergencies or other traumatic events impacting the school community. As a result of such incidents, students and staff may exhibit a variety of psychological reactions. As soon as the safety of those involved have been insured, attention must turn to meeting the emotional and psychological needs of students and staff. Knowing what to do if such as crisis occurs will minimize the chaos, rumors and the impact of the event on other students and staff.*

#### **School Commander:**

- Notify the Superintendent of the incident or emergency.
- Ensure the designated media or public information officer is notified and briefed on the circumstances and actions taken. Request the PIO to prepare formal announcement and media release.
- Activate the school Crisis Intervention Team and assign duties. Request additional district level support from teams from other schools or community-based mental health resources if needed.
- Notify building support staff including counselors, psychologists and social workers.
- Convene an emergency staff meeting. Invite outside professionals to join the meeting to help staff members process their own reactions to the situation.

- Determine if additional district/community resources are needed—or are needed to “stand by”—to effectively manage the crisis, and notify them if appropriate.
- Assign staff to monitor the grounds for students leaving the building without permission. Redirect them to support services. If unable to intercept, make parent notification and inform them of the situation.
- Make an initial announcement over the PA system to the entire school. Include minimum details and note that additional information will be forthcoming. Prepare statements for telephone inquiries.
- Immediately following resolution of the crisis, convene the Crisis Intervention Team for a debriefing to discuss successes and problems and allow staff an opportunity to discuss feeling and reactions.

#### **Mental Health/Crisis Intervention Team:**

- Assess the range of crisis intervention services needed during and following an emergency or event.
- Advise and assist the school administrator to restore regular school functions as efficiently and as quickly as possible.
- Provide direct intervention services, critical incident stress debriefings, on going assessment of needs and follow-up services as required.
- Identify locations in the school designated for individual or group counseling and make a building wide announcement.
- Identify, gather, and inform the siblings, closest friends and teachers of the deceased/injured and provide counseling support. Notify parents of affected students regarding available community resources.
- Provide grief support for students/staff in designated building areas. Ensure parents of any students seeking support are notified of the impact of the event on their child.
- Review and distribute guidelines to help teachers with classroom discussions.
- Stand-in for any substitute teacher in the building or for any staff member unable or unwilling to deal with the situation during the announcement and subsequent discussion.
- Assign a counselor, psychologist, social worker or other designated staff to follow a deceased/injured student’s class schedule for the remainder of the day if that will help teachers in those classes.
- Notify feeder schools regarding siblings or other students predicted to be strongly affected.

#### **Teachers and staff:**

- Seek crisis intervention services or counseling if you are experiencing difficulty coping with the event.
- Provide stress management during class time. Allow students to talk about what they felt or experienced in response to or during the event. Encourage
- Be prepared for some outbursts and disruptive behaviors. Refer students experiencing stress to counseling.
- Allow for changes in normal routines or test schedules.



- Anticipate a recurrence of emotions and trauma on the anniversary date of the incident.

## **Bomb Threat**

**Call Taker:** Upon receiving a message that a bomb has been placed in school:

- Use bomb threat checklist. (Page \_\_\_\_ of Emergency Response Plan)
- Ask where the bomb is located, when will the bomb go off, what materials are in the bomb, who is calling, why is caller doing this. (See Bomb Threat Checklist)
- Listen closely to caller's voice and speech patterns and to noises in background.
- After hanging up phone, immediately dial \*57 to trace call. (May be different on your phone system)
- Notify the Principal/School Commander or designee.

**School Commander:**

- 
- School Commander or designee notifies law enforcement by calling 911 (Insert the actual sequence to dial 911 from your phone system).
- Assign staff to meet and brief emergency responder agencies outside.
- Notify staff through the Public Address system:

“YOUR ATTENTION PLEASE. A BUILDING EMERGENCY IS IN EFFECT. ALL STAFF AND STUDENTS SHOULD REMAIN IN THEIR ROOMS UNTIL ADVISED OTHERWISE. SEARCH TEAM MEMBERS PLEASE REPORT TO \_\_\_\_\_  
ALL TWO-WAY RADIOS AND CELL PHONES SHOULD BE TURNED OFF.”

The School Commander and law enforcement agency will make a decision to:

- Evacuate Immediately
- Search the building and Evacuate if warranted.
- Notify the district Superintendent.
- Ensure staff who received the call completes the Bomb Threat Checklist and gives to law enforcement official.
- Assemble and brief the Search Team members at the interior command post. Assign search areas within the building, the emergency exit routes and the outside assembly areas.
- If a suspicious item is located, notify law enforcement official, order an EVACUATION selecting routes and assembly areas away from the suspicious item. DO NOT ACTIVATE THE FIRE ALARM.
- Direct students and staff, “DO NOT take personal belongings, coats or backpacks.” “Teachers and staff will leave their windows and doors open when exiting.”
- Students and staff must be evacuated to a safe distance outside of school building(s) MINIMUM 1000 Feet. is the general rule. Consult with Fire and Police officials

- Arrange for person who found a suspicious item to talk with law enforcement official.
- No one may re-enter the building(s) until fire or police personnel declare them safe.
- After consulting with the Superintendent, and the Incident Commander, the School Commander may move students to \_\_\_\_\_ if weather is inclement or building is damaged. (primary relocation center)
- The school commander will notify staff and student of the termination of the emergency and to resume normal operations.

**Teachers and staff:**

- Teachers and staff will check their classrooms, offices and work area for suspicious items and report any findings to the School Commander or Search Team members.
- If a suspicious item is found-DO NOT TOUCH IT. Secure the area where the item is located, but do not guard it.
- Teachers will account for their students and be prepared to evacuate if ordered.
- Teachers and staff will evacuate using standard procedures and exit routes to assembly area.
- Teachers will open classroom windows and leave classroom doors open when exiting.
- Teachers take roll after being evacuated. Hold up the GREEN status card to indicate everyone is accounted for. Use a RED status card to indicate student or staff is missing or you need immediate assistance. Be prepared to report the names of any missing persons to school administration.
- Keep your class together at the assembly area until given further instructions. Be prepared to for Off-Site Evacuation if ordered.
- If given the “All Clear” signal, return to the building and resume normal operations.

## BOMB THREAT CHECKLIST

### Description Detail Report

#### Questions to ask:

- 1) When is the bomb going to explode?
- 2) Where is it right now?
- 3) What does it look like?
- 4) What kind of bomb is it?
- 5) What will cause it to explode?
- 6) Did you place the bomb?
- 7) Why?
- 8) What is your address?
- 9) What is your name?

Exact wording of the threat: \_\_\_\_\_

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Sex of Caller: \_\_\_\_\_ Race: \_\_\_\_\_

Length of call: \_\_\_\_\_ Age: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Number at which call was received: \_\_\_\_\_

#### Notes:

### Callers Voice - Circle as applicable:

- |            |                   |
|------------|-------------------|
| • Calm     | • Nasal           |
| • Angry    | • Stutter         |
| • Excited  | • Lisp            |
| • Slow     | • Raspy           |
| • Rapid    | • Deep            |
| • Soft     | • Ragged          |
| • Loud     | • Clearing Throat |
| • Laughter | • Deep Breathing  |
| • Crying   | • Cracked Voice   |
| • Normal   | • Disguised       |
| • Distinct | • Accent          |
| • Slurred  | • Familiar        |

If voice is familiar, whom did it sound like? \_\_\_\_\_

### Background Sounds:

- |                 |                     |
|-----------------|---------------------|
| • Street Noises | • Factory Machinery |
| • Animal Noises | • Voices            |
| • Clear         | • PA System         |
| • Static        | • Local Call        |
| • Music         | • Long Distance     |
| • House Noises  | • Phone Booth       |
| • Motor         | • Office Machinery  |
| • Other _____   |                     |

### Threat Language:

- |                              |                |
|------------------------------|----------------|
| • Well Spoken (educated)     |                |
| • Incoherent                 | • Taped        |
| • Foul                       | • Message read |
| • Irrational by threat maker |                |

Remarks: \_\_\_\_\_

## **BUS ACCIDENT**

### **Bus Driver/Monitor:**

- Protect student passengers from injuries and the bus from further damage.
- Turn off the ignition, remove the key and activate the hazard lights.
- Check for conditions that could cause a fire
- If conditions are safer outside the bus than inside, evacuate the bus
- Do not leave students unattended or unsupervised.
- Notify the appropriate law enforcement agency by calling 911. Let them know a school bus was involved, exact location, number of injured and type of injuries, school district or bus company name and remain on the phone to provide updates until emergency responders arrive.
- Contact the school district/bus company office and provide the following information:
  1. Who
  2. What,
  3. When,
  4. Where(location)
  5. Why and needs
- Do not discuss details of the accident with media
- Do not release any students to anyone unless told to do so by school district administration or law enforcement
- If you are directed by law enforcement to remove student passengers from the scene, be sure to follow their directions and/or school district/bus company policy and procedures for removal and transport.
- If there are no injuries, follow school district/bus company policy and instructions on moving, returning or delivering students.

### **School Commander:**

- Dispatch the district transportation director, school administrator or designee to the accident location.
- School official(s) at the scene will assess level of support needed and convey this to the School Commander and Superintendent's office.
- School Commander or designee at the scene will report the names of student passengers, their conditions disposition, and location(s) where injured were taken to the district office so parent notifications can be made.
- Direct school official(s) at the scene to accompany injured students to the hospital.
- The School Commander or building principal will ensure any special health information or medication for any injured student is sent to the hospital.

### **Superintendent**

- If multiple hospitals are used, the Superintendent's office will send an administrator to each hospital.

- The Superintendent or designee will notify the parents/guardians of students involved, and if injured, the name/location of the hospital the student where the student was taken.
- District staff will assess counseling needs of victim(s) or witness(s) and implement post-crisis procedures.
- Direct the district public information officer to prepare a media release and parent letter of explanation for the same day distribution, if possible.

## **FIRE**

### **In the event a fire or smoke from a fire has been detected:**

- Any staff discovering fire or smoke will signal the fire alarm, and report the fire to the School Administrator.
- The School Commander or designee will immediately initiate an EVACUATION announcement, direct staff to call 9-1-1 to verify the fire alarm and notify the district office.
- Staff, students and visitors will immediately evacuate the building using prescribed routes or alternate routes to the Assembly Areas.
- No one may re-enter building(s) until entire building(s) is declared safe by the fire department

### **Administration:**

- School Commander or designee calls 911 (Insert the actual sequence to dial 9-1-1 from your phone system) to confirm the alarm is active, identify the school name and location, provide exact location of the fire or smoke, state the building is being evacuated and identify the location of the school command post.
- School office staff will take the visitor log, student sign-out sheet and the Critical Incident Response Kit and evacuate to the designated school command post.
- Office staff will obtain student roll from teachers and inform the principal or incident commander of any missing students
- After consulting with Superintendent, fire department and law enforcement officials, the School Commander may direct an off-site evacuation to \_\_\_\_\_ if weather is inclement or building is damaged.  
(Primary relocation center)
- School Commander notifies students and staff of termination of emergency, return to the building and resumes normal operations.

### **Teachers**

- Take the class roster , the emergency Go Kit and lead students out of the building to the designated assembly area(s). Use alternate escape routes if the regular route is blocked or there is a safety hazard.
- Close the classroom door and turn out the lights upon exiting confirming all students and personnel are out of the classroom.

- Take attendance at the assembly area after being evacuated. . Hold up the GREEN status card to indicate all students are accounted for. Use the RED status card to indicate a student or staff is missing or you need immediate assistance.
- Be prepared to move students if an OFF-CAMPUS EVACUATION is ordered.
- Keep your class together and wait for further instructions.

## **INTRUDER/HOSTAGE**

### **Intruder- When an unauthorized person enters school property:**

- Notify School Commander.
- Ask another staff person to accompany you before approaching guest/intruder.
- Politely greet guest/intruder and identify yourself.
- Ask guest/intruder the purpose of his/her visit.
- Inform guest/intruder that all visitors must register at the main office.
- If intruder's purpose is not legitimate, ask him/her to leave. Accompany intruder to exit.

### **If intruder refuses to leave:**

- Warn intruder of consequences for staying on school property.
- Notify security or police and Principal if intruder still refuses to leave. Give police full description of intruder. (Keep intruder unaware of call for help if possible)
- Walk away from intruder if he/she indicates a potential for violence. Be aware of intruder's actions at this time (where he/she is located in school, whether he/she is carrying a weapon or package, etc).
- Maintain visual contact with intruder from a safe distance.
- School Commander notifies Superintendent and may issue Lockdown procedures (see Lockdown Procedures section).

### **Hostage Situation:**

- If hostage taker is unaware of your presence, do not intervene.
- Notify the Principal or main office.
- School Commander or designee will announce LOCKDOWN action.
- The SC or designee will ensure staff outside are notified of the LOCKDOWN and to move students away from the building to the outside assembly areas.
- The SC or designee will call 9-1-1 immediately (insert the actual sequence to call 9-1-1 from your phone system). Give dispatcher details of situation; description and number of intruders, exact location in the building and that the school is in LOCKDOWN. Ask for assistance from hostage negotiation team.
- The SC or designee will redirect any buses enroute to the school to an alternate location.
- School Commander notifies Superintendent.
- The SC will give control of scene to police and hostage negotiation team.
- The SC will ensure detailed notes of events are taken.

- Teachers and staff will implement LOCKDOWN procedures upon hearing the alert. If outside, move to campus assembly areas and wait for further instructions.
- Everyone should remain in lockdown until given the “All Clear” or if directed in person by a uniformed law enforcement officer.

**If taken hostage:**

- Follow instructions of hostage taker.
- Try not to panic. Calm students if they are present.
- Treat the hostage taker as normally as possible.
- Be respectful to hostage taker.
- Ask permission to speak and do not argue or make suggestions.

## **NUCLEAR POWER PLANT RADIOLOGICAL EVENT**

Schools within 10-mile radius (Insert facility name(s)) Nuclear Station: Listen for 3 to 5 minute steady siren blast. This signals public to tune their radios to an Emergency Alert Station (EAS). Schools will be notified if radiological release requires protective actions. There are two basic protective actions: Sheltering and Evacuation.

**Sheltering Notification:**

- Bring all persons inside building(s).
- Close all exterior doors and windows.
- Turn off any ventilation leading outdoors.
- Cover up food not in containers or put food in the refrigerator.
- If advised, cover mouth and nose with handkerchief, cloth, paper towels or tissues.

**Administration:**

- School Commander announces EVACUATION alert to students and staff directing them to remain the classrooms until transportation arrives and a second notice is given to load the buses.
- School Commander contacts (transportation coordinator) and informs him/her that an EVACUATION and OFF CAMPUS RELOCATION has been ordered.
- School Commander or designee notifies the relocation center to activate the FAMILY REUNIFICATION PROTOCOL.
- Activate the parent notification protocol and direct them to the relocation site.
- Order teachers and support staff to close all windows.
- Direct staff to turn off lights, electrical equipment, gas, water faucets, air conditioning and heating system.
- Post evacuation signs at the main entrances to the building.

**Teacher responsibilities during evacuation and movement to relocation site:**

- Return to homeroom or keep classes intact.
- Take roll.

- Explain evacuation/off-campus relocation procedures to students.
- Instruct students to take belongings.
- Wait in classroom until School Commander or designee informs teachers that buses have arrived.
- Take class roster, emergency Go Kit and move students to the bus staging area for loading.
- Take roll again after arriving at the relocation center

## **SEVERE WEATHER**

When a Severe Weather Watch or Warning has been issued in the area near the school.

### **Severe Weather Watch has been issued:**

- Monitor NOAA Weather Stations (National Weather Service, Weather Channel, or television).
- Bring all persons inside building(s).
- Be prepared to move students from mobile classrooms into the building.
- Close windows and blinds.
- Review severe weather drill procedures and location of safe areas. Severe weather safe areas are under desks, in hallways and interior rooms away from windows.
- Avoid gymnasiums and cafeterias with wide free-span roofs and large areas of glass windows.
- Review “DROP COVER and HOLD” procedures with students.
- Assign support staff to monitor all entrances and weather conditions.

### **Severe Weather Warning has been issued in an area near school or severe weather has been spotted near school**

- The School Commander will announce SHELTER-IN-PLACE alert signal
- The SC will direct students and staff inside the building to immediately move to interior safe areas, closing classroom doors after exiting.
- Ensure that students are in “DROP, COVER and HOLD” positions until the danger passes.
- The SC will direct students and staff outside to REVERSE EVACUATE into the building.
- If outside, students and staff should move to the nearest interior safe area. If time does not permit, have students get down in the nearest ravine or open ditch or low spot away from trees or power poles.
- Evacuate students and staff from any mobile classrooms in to the building.
- Remain in safe area until warning expires or until emergency personnel have issued an all-clear signal.



## HAZARDOUS MATERIAL RELEASE

Hazardous material (haz-mat) release is an incident involving the discharge or spill of a biological or chemical substance including release of radioactive materials. Internal haz-mat incidents may occur from activities in a school laboratory, vocational technical area, or maintenance shop. External haz-mat exposure often results from an accident involving a train or truck carrying hazardous materials or an explosion or spill at an industrial site.

### Substance Released Inside A Room or Building

- The School Commander (SC) will initiate an EVACUATION alert. Direct staff to use designated routes or other alternate safe routes to assigned Assembly Area(s) upwind or cross wind from the affected room or building.
- The SC directs staff to call 9-1-1 (Insert the actual sequence to dial 911 from your phone system,) provide the name and location of the school, state the emergency and describe actions to safeguard students and staff and identify the location of the school command post.
- The SC or staff will notify the Superintendent's office and request activation of media and parent notification protocol.
- The SC will direct staff to secure the area around the chemical spill and ensure the air handling ventilation system is shut down.
- The SC will establish a school command post outside the school and brief fire officials when they arrive.
- Refer media to:

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District spokesperson

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Telephone Numbers (home, work, mobile)

- Teachers should take attendance at their outside Assembly Area and report any missing or injured students to administration.
- After evacuation, persons who have come into direct contact with haz-mat substances should be taken to a decontamination area.
- The SC will determine if an off-campus evacuation to a relocation site is necessary. If so, request transportation resources from the district. Alert staff to move to students to designated transportation site.
- Request law enforcement officials to assist with evacuation and assign officers to the relocation site.

### Substance Release Outdoors:

- The School Commander (SC) will immediately announce a SHELTER-IN-PLACE alert and a REVERSE EVACUATION into the building for all students and staff outside the building.
- The SC or designee will call 9-1-1 (Insert the actual sequence to dial 911 from your phone system) identify the name/exact location of the school, describe the

emergency, state what actions are being taken to safeguard students/staff and remain on the line until told otherwise.

- The SC will direct staff to turn off air handling/ventilation systems, close all windows and doors and turn off fans and air conditioners.
- The SC will notify the Superintendent’s office and request activation of media and parent notification protocol.
- Refer media to:

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District Spokesperson

Telephone Numbers (home, work, mobile)

- The SC will ensure all buses enroute to the school are re-directed to the alternate relocation site and deposit the student there for reunification with parents.
- Teachers and staff outside will immediately move into the building using the nearest entrance and proceed to the designated safe areas. If movement into the building would expose persons to hazardous chemical plume, teachers should move to designated outdoor assembly areas upwind or cross-wind from the spill.
- The SC will turn on a radio or television to monitor information concerning the incident.
- The school will remain in SHELTER-IN-PLACE until the fire official or appropriate agency provides clearance or the staff is otherwise notified by the Superintendent.
- When emergency responders determine it is safe to do so, the SC will give the “All Clear” signal to staff and students and announce whether school will resume normal activities, dismiss early or complete a non-emergency evacuation and movement to an off-campus relocation site for parent reunification.

## EARTHQUAKE

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to building and injuries.

### **School Commander:**

- The School Commander (SC) or designee will call 9-1-1(if necessary) (Insert the actual sequence to dial 911 from your phone system)
- After the shaking stops, the SC will initiate an EVACUATE BUILDING alert. Staff and students will evacuate using designated routes or alternate routes to the outside Assembly Area(s).
- The SC will contact the Superintendent’s office and activate the media and parent notification protocol.
- The SC will establish a school command post and medical triage site on campus.
- The SC will direct staff to shut off utilities and notify the appropriate utility company of damages (e.g., gas, power, water or sewer)

- The SC will consult with emergency management and public safety officials to determine if the buildings are safe for reoccupancy.
- The SC will consult with the Superintendent concerning closing school. They will decide whether to announce dismissal students from the school or EVACUATE student's off-campus to an alternate relocation site for Parent Reunification.
- If an off-campus EVACUATION is ordered, activate the parent notification procedures and notify the appropriate law enforcement agency to request assistance at the relocation site.

#### **Teachers and staff:**

- Upon the first indication of an earthquake, teachers should direct students to DROP, COVER and HOLD, seek shelter under desks and move away from windows and overhead hazards.
- If outdoors, teachers should direct students to move away from buildings, gas and electrical lines.
- If EVACUATION is ordered, teachers will bring their student roster and emergency Go Kit, take attendance at the Assembly Area, and report any missing or injured students.
- Designated staff will check for injuries and provide appropriate first aid.
- Be prepared to relocate to a remote site if an off-campus evacuation is ordered.

## **ACTIVE SHOOTER/ARMED INTRUDER**

An active shooter or armed assault on campus involves one or more individual's intent on causing physical harm to students and staff. Intruders may possess a gun, a knife a bomb or other harmful device.

#### **Administrator**

- The School Commander (SC)/Principal will direct staff to call 9-1-1 (Insert the actual sequence to dial 911 from your phone system), give the name and exact location of the school, the nature of the emergency, number and description of intruders (if known), type of weapon(s), area of the school where last seen, actions taken by the school, and whether there are on-site security or law enforcement officer (e.g. DARE, School Resource Officer). Caller will remain on the line to provide updates.
- The SC will announce a building-wide LOCKDOWN alert. Direct staff and students outside the building to move immediately to the campus Assembly Area(s) and be prepared to EVACUATE off-campus if necessary.
- The SC will direct any support staff outside to stop pedestrians from entering school grounds and stop all vehicles from entering the campus until police arrive.
- The SC will ensure any buses enroute to the school are redirected to the pre-designated Relocation Site.

- The SC will secure the administration office as a command post and retrieve the Critical Incident Response Kit. If the incident is occurring at the administration office, the SC will designate an alternate command post.
- The SC will assign someone to meet and brief arriving law enforcement officers.
- The SC or designee will switch bells to manual mode and disarm the fire alarm.
- The SC will direct office staff to contact the classrooms via intercom or alternate means of communication to check status.
- The SC will notify the Superintendent's office and request activation of media and parent notification protocols
- Refer media to:

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District Spokesperson

Telephone Numbers (home, work, mobile)

- Assign staff to meet and brief responding law enforcement officers.

### **Teachers:**

- Upon first indication of an armed intruder, staff should immediately notify the School Administrator and go to LOCKDOWN. .
- Clear students from the hallway and bathrooms outside the classroom immediately.
- Close and lock all doors and windows, pull down the shades and turn off the lights.
- Tell the students to get down on the floor up against an interior solid wall and remain quiet
- Account for all students and report any additional non-class students sheltered in the room and any missing students
- Place a RED or GREEN card on an outside window, on inside door window or under the door to communicate with first responders. A GREEN card means "Everything is OK in the classroom"; a RED card means, "Emergency assistance is needed."
- Teachers, staff and students will remain in LOCKDOWN until given the "All Clear" by the Incident Commander or a law enforcement officer in uniform.
- If an intruder enters the classroom use a pre-determined code to communicate when the office calls for a status check.
- If an intruder enters and begins shooting, "TELL THE STUDENTS TO GET OUT ANY WAY POSSIBLE", exit the building or run to another location that can be locked.

### **Recovery**

- After the intruder(s) have been subdued, the School Commander will announce an EVACUATION and OFF-CAMPUS RELOCATION to an alternate site for FAMILY REUNIFICATION.

- The SC will notify officials at the relocation site of the EVACUATION and to activate FAMILY REUNIFICATION protocols.
- The SC will request bus transportation or alternate transportation to the relocation site.
- The SC will request the district activate media and parent notification protocols and direct parents to go to the relocation site.
- Teachers will EVACUATE the building using the designated exit routes and alternate routes to the assigned Assembly Areas, take attendance and move to the buses for transport.
- The SC will activate the district Crisis Response Team and notify area mental health agency to provide counseling and mental health services at the relocation site.
- The SC will debrief the school Emergency Management Team.
- The Superintendent in consultation with law enforcement officials will determine when the school can resume normal activities and communicate the information to parents and the public

***(Note: The school is a crime scene and will require a thorough search and processing.)***

## UTILITY LOSS OR FAILURE

Utility failure is the loss or interruption of electric power, natural gas, water or sewage services to the school. The most common utility failure results from power outages throughout the year. In certain situations, students may need to be relocated until the power is restored.

- Upon notice of loss of utilities, the School Commander (SC) will initiate appropriate immediate response actions, which may include SHELTER-IN-PLACE or EVACUATION. The SC may direct staff to shut off utilities, as deemed necessary.
- The School Commander will contact the local utility company (see emergency contact section) and determine the anticipated duration of the outage.
- The School Commander will confer with the Superintendent and determine whether school should be closed and classes temporarily suspended. If so, activate parent and media notification protocols.
- In the event of a gas leak, the School Commander will direct staff to call 9-1-1 (Insert the actual sequence to dial 911 from your phone system) give name and exact location of the school, state the emergency, identify affected area(s) of the building, announce the school is EVACUATING and provide the location of the school command post outside.
- For gas leaks, the School Commander will order an EVACUATION and open windows. DO NOT ACTIVATE THE FIRE ALARM and transfer school bells to manual mode. Direct staff to shut off all utilities.
- If evacuating, teachers and staff should follow evacuation procedures avoiding areas of hazard, assemble at designated assembly area, take attendance and report

any missing students to administration. Teachers should be prepared to evacuate students off campus to a relocation site for parent reunification, if directed.

- Refer media to:

District Spokesperson	Telephone Numbers (home, work, mobile)
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- Do not allow anyone to reenter the building until the facility has been deemed safe.
- The School Commander will complete a detailed incident report at the earliest opportunity and send to the Superintendent's Office.

## MEDIA

All staff must refer media to school site or district spokesperson.

- The School District, Law Enforcement and Fire assume responsibility for issuing public statements during an emergency. (This responsibility shall be pre-determined during the planning process)
- Superintendent serves as district spokesperson unless he/she designates a spokesperson. If spokesperson is unavailable, an alternate assumes responsibilities.
- Refer media to:

District Spokesperson	Telephone Numbers (home, work, mobile)
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Alternate District spokesperson:

Name	Telephone Numbers (home, work, mobile)
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- School Public Information person acts as contact for emergency responders and assists district spokesperson with coordinating media communications. If Public Information person is unavailable, an alternate assumes responsibilities.

School Public Information person: \_\_\_\_\_

Name

Room #

Alternate Public Information person: \_\_\_\_\_

Name

Room #

During an emergency, adhere to the following procedures:

- Incident Commander or designee relays all factual information to Superintendent.
- Superintendent notifies other schools in district and may ask school Public Information designee to prepare a written statement to media.
- Establish a media information center away from school.
- Update media regularly. Do not say “No comment”.
- Do not argue with media.
- Maintain log of all telephone inquiries. Use scripted response to respond to inquiries.

### **Media statement**

- Create a general statement before an incident occurs. Adapt statement during crisis.
- Emphasize safety of students and staff first.
- Briefly describe school’s plan for responding to emergency.
- Issue brief statement consisting only of the facts.
- Respect privacy of victim(s) and family of victim(s). Do not release names to media.
- Refrain from exaggerating or sensationalizing crisis.

## **STRUCTURAL FAILURE**

Structural failure of a building may result from an earthquake, underground mine collapse, ground settling, heavy snow and ice accumulation on roofs, broken water or sewer lines, and faulty construction. The structural failure may be catastrophic with a sudden collapse severely injuring occupants. Some structural failures may cause large cracks in walls or foundations, flooding, and loss of utilities which present a hazard to the safety of students and staff.

### **Structural failure with collapse or partial collapse:**

- Upon the first indication of a structural failure the School Commander may implement DROP, COVER and HOLD, an EVACUATION and an OFF-SITE EVACUATION.
- If the roof, ceiling, or wall collapses, students and staff should immediately DROP, COVER and HOLD, seek shelter under desks and tables, and move away from windows or glass.
- Teachers and staff will immediately the injured and evacuate the building moving to their assigned assembly area(s).
- The School Commander will initiate an EVACUATION of the building
- The School Commander (SC) or designee will call 9-1-1(if necessary) (Insert the actual sequence to dial 911 from your phone system), identify the name and exact location of the school, state the emergency, describe response actions taken, and remain on the line to provide updates.
- The SC will direct staff to turn off utilities and seal off the high risk area, if necessary

- The SC will notify CPR/first aid certified persons in school building of medical emergencies, if necessary. (Names of CPR/first aid certified persons are listed in Critical Incident Response Team Members section.). The team will check for injuries and provide appropriate first aid.
- No one will be allowed to reenter the building until declared safe by emergency management and public safety officials.

#### **Structural failure without collapse**

- For structural failure without collapse, the SC will ensure the affected area is vacated immediately and determine if an EVACUATION is warranted. Staff will be directed to seal off the affected area and turn off utilities to that area, if necessary.
- The SC will notify the Superintendent and determine whether to dismiss school early, order an evacuation, and off site evacuation for parent reunification.
- The Superintendent and School Commander will confer with emergency management and public safety officials regarding the structural integrity of the building.
- The district office will notify the architect and insurance carrier to document and assess the damage
- The affected areas will not be reopened until the structural integrity of the building is deemed safe.

## **MEDICAL EMERGENCY**

#### **School Staff Response:**

- Quickly assess the situation. Make sure the situation is safe for you to approach. Examples of danger include but are not limited to:
  - a. Live electric wires
  - b. Gas leak
  - c. Building damage
  - d. Animal threat
- Immediately notify the building's emergency responder(s) whose contact information is posted in the facility.
- Assess the seriousness of the injury or illness.
- Under life and death circumstances call or have someone call 9-1-1 immediately. Be prepared to provide the school name and address, exact location (floor, room number); describe illness or type of injury; and age of the victim(s).
- Immediately inform the Building Principal or main office.
- Protect yourself against contact with body fluids (blood borne pathogens).
- Administer appropriate first aid according to your level of training until help arrives.
- Comfort and reassure the victim. Do Not Move the sick or injured unless the scene is unsafe.



- If the victim is not breathing or there is no pulse, ask someone to retrieve the Automated External Defibrillator (AED) and begin Cardiopulmonary Resuscitation (CPR) or Rescue Breathing until the AED is ready to use.
- Staff trained in the use of the AED will respond to the scene and apply the device if necessary.
- If an AED was used, the person using it will complete the Automatic Defibrillator Incident Report, 4:170-E7. If appropriate, a supervising staff member completes the report.

#### **Administration:**

- Direct staff to call 9-1-1, if necessary, and provide appropriate information to responders.
- Send school staff with first responder/first aid/AED training to the scene.
- Assign a staff member to meet emergency medical service responders and lead them to the injured/sick person.
- Assign a staff member to remain with the victim if they are transported to the hospital
- Notify parent or guardian of the situation, include type of injury or illness, medical care given and location where the victim has been transported.
- Ensure student/staff medical information from administrative records is sent to the hospital.
- Notify the school counselor/Crisis Response Team and provide a brief description of the incident.
- Advise faculty and staff of the situation (when appropriate).
- Develop and maintain written documentation of the incident and report each use of an AED to the local EMS System Resource Hospital. Ensure the person who used the AED completes the Automatic External Defibrillator Incident Report, 4:170-E7.
- Follow-up with the parents or guardian

## **PUBLIC HEALTH EMERGENCY**

*(Protocol under development by the Illinois Dept of Public Health)*

## **Dress Code**

School is a place to learn. Any clothing that diverts attention from the learning process is inappropriate. For this reason, the Evergreen Academy requires the wearing of a school uniform at all times, with the exception of Friday. All clothes or accessories must be worn in a style that reflects dignity in a school environment. All dress code violations are left to administrator and staff discretion. Improper Friday dress includes the following:

No midriff tops, no short-shorts, no skirts above mid-thigh, pants must be pulled up around the waist or hips as they were designed to be worn. No bare-backs, and no undergarments will be worn in a way as to be visible to others. No ear, nose or tongue jewelry will be worn in school other than one pair of earrings per female, worn in the ears. No crude images, pictures or messages on clothing will be permitted in the school or on school grounds by students OR PARENTS. It is not acceptable to be offensive to others at any age.

Uniforms will be clean and well cared for. Females will wear Khaki pants with either a green polo style or white oxford cloth shirt. Varying styles and sizes of shirts will be available at the school. Males will wear Khaki pants with navy blue polo style or white oxford cloth shirts



# The Evergreen Academy

*...strengthening roots, fostering growth.*

## Parent Information Handbook

2012-13

10926 North County Road 200 East  
Alexandria, IN 46001

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

## The Evergreen Academy

# Welcome!

***Welcome to the Evergreen Academy.*** Our Academy, established in January of 2012, is a public charter school of choice. Any student in the Madison, Delaware, and Grant county area may enroll in and attend at Evergreen. There are several pieces of information that you will need to know and have access to during the year. We hope that this collection of information will provided most of the answers to your questions. However, you are encouraged to call the office at any time if there are any questions you have or concerns we need to hear.

The Evergreen Academy is located at: \_\_\_\_\_

\_\_\_\_\_

The phone/fax number is: \_\_\_\_\_

The website can be found at: \_\_\_\_\_

You can find us on Facebook at: \_\_\_\_\_

### **Getting to and from School**

Parents can transport students to school each day. There is a drop off and pick up area under a canopy on the South side of the building. All traffic flow is shown by the arrows painted on the driveway. Students will enter the double doors in the morning. In the afternoon, students will line up and be dismissed in the order that the cars arrive. Most students are car riders, and our staff will be happy to assist parents in starting a carpool to minimize any traffic congestion.

### **Daily Schedule (Half Day Dismissal at 11:30, No Lunch Served)**

<b>Instructional Day</b>	<b>8:00-3:00 ( 6.5 hrs instruction .5 lunch)</b>
Literacy Block	8:00-9:30 (90 minutes)
Math Focus	9:30-11:00 (90 minutes)
Lunch/Specials	11:00- 1:00*

## The Evergreen Academy

Science/ Social Studies	1:00-3:00 (120 minutes)
Tutoring/Enrichment	3:00-4:30 ( 90 minutes)

\*Volunteers are needed to assist with cafeteria and playground supervision.

### I. ATTENDANCE AND TARDINESS

#### **Tardiness**

If arriving after 8:00 a.m., pick up a tardy slip in the main office before reporting to class. Students who are not in their classrooms by 8:00 a.m. are considered tardy and must report to the office to sign in and pick up a tardy slip in order to be admitted to class. On the day following a student's third unexcused tardy in one grading period, the student will serve an in-school suspension. Parents, please help us model good work ethics by making sure students arrive on time each day. If student arrives after 11:00 AM, the student is counted as absent for the day.

#### **Absences**

When a student is sick, we encourage parents to phone or email the school and inform the office of the student's illness. Please send in a note on the day the student returns from said absence, or the absence will be counted as unexcused. The note should include

- 1) the absent student's name
- 2) the reason for the absence
- 3) the dates of the absence
- 4) the parent's/guardian's signature

#### **Excused Absences**

Absences due to personal illness, death in the immediate family, medical appointments, emergencies, and subpoenas to court are excused. An absence may also be counted as excused if it is previously approved by the school as an academic learning experience. If a student will be out for this reason, s/he must inform the office at least three days in advance, to inquire if such an absence can be approved. Please come by the office for an

## The Evergreen Academy

Academic Absence Form. Such approval may involve something that the student produces based on the experience, which can then be evaluated by the teacher.

### Excessive Unexcused Absences

For excessive absenteeism, a letter will be sent home to parent/guardian and the appropriate officials will be notified using the following procedure:

• 3rd unexcused absence:	Notification letter sent to parent/guardian
• 6th unexcused absence:	Second notification letter sent to parent/guardian
• 8 <sup>th</sup> unexcused absence: Excessive Absence Letter	Sent to parent/guardian
10th unexcused absence:	Third notification letter sent to parent/guardian and copied to the appropriate Department of Social Services, Child Welfare Office.

-

## II. PICK UP AND DROP OFF

### Student Pick-up From School

To locate or pick up a student from school at any time before dismissal, please report directly to the main office.

### Early Dismissal

To be counted as present for the school day, a student must be in school until 11:00 AM. Persons signing-out students early from school must sign in at the office and pick up an early dismissal slip. Staff members will not release students to parents unless they have a signed early dismissal slip from the office. Parents or guardians must call or write the office if they wish other adults to pick up their children. As a safety measure, Evergreen Academy staff members will check the drivers license of adults with whom we are not familiar that are picking up students. Students will not be released to unauthorized adults.

# The Evergreen Academy

## **Car Traffic**

Drivers are asked not to drop off students until 7:30 a.m., the time at which the school is open to students. Parents are welcome to park (in designated parking spaces) and walk children into the building. Drivers coming to pick up students are asked NOT to arrive at the school before 2:15 PM. Children participating in the extended school options must be picked up no later than 5:00 pm.

## **III. VISITORS & PARENT VOLUNTEERS**

We rely heavily on parent volunteerism at the Evergreen Academy. If you would like to volunteer on a regular basis we have opportunities for parents to work in the lunchroom, in the Library, in the Office, and in the outdoor project area. Volunteers are needed on an occasional basis for classroom assistance, guest reading/being a reading buddy, special events, fundraising and public awareness events, and to assist with giving tours of the school with the school leader or parent involvement coordinator.

There will always be a clipboard in the office with a list of ways parents can help. All visitors and parent volunteers must report to the office to sign in, even if you have a scheduled meeting. Please wear one of our volunteer or visitor nametags. This will insure a safe school environment for all our students.

## **IV. PARENT/SCHOOL COMMUNICATION**

The Evergreen Academy invites all parents to communicate with Evergreen Administrators and teachers in person, over the phone, by email or through notes from home. Phone messages left in the office will be relayed to the classroom teachers at the next class period. Only in an emergency will a teacher be interrupted during class time. Information about student progress and assignment grades will be available in between reporting periods by accessing the on-line grade book called (Progress Book, or other)

### **Materials Sent Home with Students**

Newsletters and other items may at times be sent home with students. It is our goal to be as environmentally friendly as possible, and have very little paper trail from the Evergreen Academy, so most communication will be through our website, through (Progress Book), by phone or text message, or email. If we receive donations of paper from businesses, we will do our best to use it responsibly in our classrooms and for note paper or “scratch” paper, then send it for recycling.

# The Evergreen Academy

## **Inclement Weather**

Notices of closing or delayed opening due to inclement weather will be posted on the school website and with local radio and television stations. In addition, the school will use its telephone notification system to inform families of closings or delayed openings.

## **V. MANAGEMENT OF STUDENT CONDUCT**

### **Discipline Plan**

The common thread of successful discipline plans is clear communication regarding expectations for student behavior and the consistent application of fair consequences. Teamwork between school personnel and parents is also essential. The Evergreen Academy maintains the highest expectations for student achievement and behavior. Our school demands that every student take full responsibility for his or her learning and behavior. Maintaining a safe and orderly learning environment is our highest priority. Discipline will be administered in a respectful manner.

A goal of our school is to utilize information about each child to identify potential problems with learning or behavior and begin to correct them as early in the year as possible. This information is gotten from parents and teachers and also includes the results of the Response to Intervention universal screening, done with all students. Positive behavior plans and instructional interventions can be initiated right away so students have the best learning potential for the full school year.

There are times when a students' actions or behaviors become chronic, and despite attempts to correct them, a student must go through a disciplinary process. Although Evergreen Academy's school rules are enforced uniformly, each incident and each student must be assessed on an individual basis. Therefore, the application of all policies and rules in this handbook are ultimately subject to the discretion of the Evergreen Academy administration.

### **School Rules**

1. Abide by classroom and teacher rules at all times.
2. Walk in the school building.
3. Carry a pass when unescorted by an adult.
4. Speak softly in the hallway
5. Respect self, property, and others, especially in lunchroom and bathrooms.
6. Play safely on school grounds.



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7. No profanity (this includes cursing audibly to oneself).
8. Do not report tardy to class.
9. Dress appropriately (see policy below).
10. Leave audio devices and toys at home (see policy below).
11. No public displays of affection (see policy below).
12. No instigating fights or instigating other negative behaviors.
13. Students will not chew gum in the school building.
14. Sexual or racial harassment is not tolerated. Investigation and discipline action will be completed within ten school days of the reporting of such an incident.
15. Students are required to come to class prepared with all necessary materials.
16. No gambling
17. ABSOLUTELY NO BULLYING

### **Disciplinary Steps**

1. Remediation plan by classroom teacher
2. Assignment to the fifth block in the school day (3:00 – 4:30)
3. Suspension (in school or out of school, depending on offense)
4. Expulsion

Each teacher has classroom rules that correlate with school wide rules. All teachers have a plan for managing classroom disruptions that includes at least one warning.

### **The following violations may earn automatic out-of-school suspension**

- Fighting or willful and aggravated assault on any member the school community (see policy below).
- Direct profanity. Direct profanity involves inappropriate actions and/or language used to insult others.
- Hazing or threatening members of the school community.
- Bullying any member of the school community, through verbal, written or by action statements. This includes texting and “cyber-bullying”.
- Defiance. Typically involves the willful and public refusal to follow adult direction.
- Theft of personal or school property.
- Tobacco products, drugs, drug paraphernalia, alcohol, firearms, explosives, weapons, or general threats to the school community.
- Extortion of other students, willful destruction of school property, verbal abuse of staff, or engaging the fire alarms.

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## **Bus Rules**

All school rules apply when on the bus in addition to the following rules. Safety is our first priority. Delivering children to their stops in a timely manner is our second priority.

1. Stay seated.
2. Keep head, hands and feet inside the bus at all times.
3. Keep your voice within reasonable limits...as set by the driver.
4. Seats may be assigned at the discretion of the driver.
5. Food drinks, audio devices, toys, and sunglasses are not allowed on the bus.
6. Do not throw trash on the floor. Keep the bus clean.
7. Cooperate with the driver.
8. No animals are allowed on buses. Children or adults who do not attend or work at Evergreen Academy may not ride the school bus at any time.

## **Disciplinary Steps for Bus Infractions**

1. Written Warning
2. Bus suspension
3. Bus expulsion

At times the bus driver may find it necessary to return a student(s) to school to ensure bus safety. You will be called to pick up your student immediately.

## **Drug, Drug Paraphernalia, and Alcohol Policy**

Any students found to have tobacco of any form in their possession will receive a letter of warning sent home to their parents. Repeat offenders will be suspended from school for three days. Any students found smoking on campus, using or carrying drugs, drug paraphernalia, unauthorized medicine or alcohol will be suspended from school for ten days. This may be reduced to five days if the student and his or her parents bring a signed note from a mental health agency verifying their attendance at a counseling session on substance abuse.

## **Dress Code**

School is a place to learn. Any clothing that diverts attention from the learning process is inappropriate. For this reason, the Evergreen Academy requires the wearing of a school uniform at all times, except on Friday. All clothes or accessories must be worn in a style

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that reflects dignity in a school environment. All dress code violations are left to administrator and staff discretion. Improper Friday dress includes the following:

No midriff tops, no short-shorts, no skirts above mid-thigh, pants must be pulled up around the waist or hips as they were designed to be worn. No bare-backs, and no undergarments will be worn in a way as to be visible to others. No ear, nose or tongue jewelry will be worn in school other than one pair of earrings per female, worn in the ears. No crude images, pictures or messages on clothing will be permitted in the school or on school grounds by students OR PARENTS. It is not acceptable to be offensive to others at any age!

Uniforms will be clean and well cared for. Females will wear Khaki pants with either a green polo style or white oxford cloth shirt. Varying styles and sizes of shirts will be available at the school. Males will wear Khaki pants with navy blue polo style or white oxford cloth shirts.

### **VI. SCHOOL GOVERNANCE**

The Evergreen Academy is a public charter school. The school is governed by a Charter School Foundation Board. The CSFB meets on the fourth Thursday of each month at 7:00 pm. at the Evergreen Academy. All meetings are open to the public. Any parent is welcome to address the board at any time with questions or comments during the open forum at the end of each business meeting. If a parent has a grievance, there is a separate procedure to follow, as outlined below.

#### **Grievance Procedure**

##### **Step 1**

Face-to-face meeting with to resolve the issue.

##### **Step 2**

If there is no resolution with the individual, request a meeting with the school's principal. If the grievance is with the principal specifically, and you have already met with him/her, you may submit directly to the Grievance Committee (one Board member, one teacher, and one administrator from another school district) as outlined in the following steps.

##### **Step 3**

If the Grievance Committee feels that a resolution could be reached through mediation, a request may be made by the committee to all parties to acknowledge and embrace any solution provided by mediation in lieu of presentation to the school board (CSFB).

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### Step 4

The Grievance Committee sets up a hearing to take place within 14 calendar days of receipt of the letter of request from the complainant.

### Step 5

Present at the hearing are the Grievance Committee, the complainant and the defendant. The procedure for the hearing as follows:

- a) The complainant presents his/her grievance.
- b) The defendant is given time to respond.
- c) The defendant and the complainant are dismissed.
- d) Grievance Committee deliberates and writes a recommendation.

### Step 6

- a) On the following business day, the Grievance Committee sends its recommendation to the school board.
- b) At the next school board meeting, the recommendation is either placed on the consent agenda or discussed by the Board. If necessary (i.e. if time is a concern), an emergency school board meeting may be called to address the grievance.
- c) If the Board approves the recommendation, it is implemented and the process is finished.
- d) If the Board rejects the recommendation, an immediate executive (closed) session is called to re-hear the grievance (in the same format as Step 5). Immediately following this executive session the entire attending Board reconvenes and decides by a majority vote to accept or reject the new recommendation.

## VII. HEALTH AND SAFETY

### Medical Information

Students taking medication of any kind (prescription or over-the-counter) while at school, must bring a completed **AUTHORIZATION OF MEDICATION FOR STUDENTS** form, signed by a doctor and parent. Medication shall be kept in the main office. Additional forms are available in the main office.

**Lice:** No student will be allowed to stay in school if nits (lice eggs) are found in his/her hair.

**Contagious conditions:** Any student appearing to have a serious contagious condition (e.g. rash, pink eye), may be sent home immediately.

**Hygiene:** Good hygiene and cleanliness helps us maintain a proper learning atmosphere. Students are expected to adhere to high standards of cleanliness. If a student's poor

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hygiene or lack of cleanliness becomes a health concern, or if it draws negative attention from other students the parent will be called to see how the school can assist in helping in the daily preparation of the student for school.

### **VIII: MISCELLANEOUS ITEMS**

#### ***Textbooks (and school property loaned to students)***

Textbooks are provided on a loan basis to all students. Each student is responsible for textbooks and school property assigned to him/her. If books or property are lost or damaged beyond expected wear and tear, students are expected to pay to repair or replace the book or property.

#### ***Bookbags and Lockers***

Students will be asked to leave their bookbags in their cubbies/lockers. Middle school students will be provided with a few minutes passing time between periods to get any materials for their next class. Middle School students may put locks on lockers, however, lockers are subject to search by school staff with reasonable suspicion.

#### ***Milk & Meals***

Milk and meals will be offered to students at a price that allows The Evergreen Academy to cover its costs and provide affordable meals. Each family will be provided an application for free and reduced meals. Once completed, the business services manager will contact you about your eligibility for that program.

#### ***Audio Devices, Toys, Playing Cards, Trading Cards of Any Kind, Cosmetics, & Other Distractions***

No audio devices, playing cards, trading cards of any kind, nor cosmetics are to be brought to school as they interrupt the learning environment. These include balls, stuffed animals, CD's, I-pod's, cell phones, hand-held video games etc.. Evergreen Academy staff may allow students to bring particular audio devices and toys as needed for classroom activities. When doing so, these objects are to be kept in the classroom or learning environment, not among the general school population. Audio devices, toys, and trading cards, cosmetics, lotions, perfumes, after shave, and other personal grooming aids will be confiscated if brought to school. Any confiscated items will be kept in the school office until a parent picks them up. If the item is found on school property again, it will be kept in the office for the remainder of the school year.

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## ***Public Displays of Affection***

Hugging, hand holding, kissing, and other similar physical contact is not permitted.

## ***School Searches***

Searches of student's person or belongings are typically conducted when students are thought to be in the possession of alcohol, drugs, drug paraphernalia, tobacco, weapons or any inappropriate materials. School personnel need what the law defines as "reasonable suspicion" to search a student's clothing or belongings. Reasonable suspicion is defined as information from a reliable source. In the event of a search, students will be taken aside, and in the presence of at least two staff members, be asked to empty their pockets, purses, bookbags, and/or other personal belongings. Parents will be contacted in the event of a search involving their child.

## **TITLE I TARGETED ASSISTANCE PROGRAM**

The Evergreen Academy receives Title I Targeted Assistance funds. Parents are their children's first teachers, and involvement of parents at Evergreen Academy is critical to the success of the child and the school. For this reason, Evergreen Academy employs a community & parent involvement coordinator. This is the person at the school who will help you with all issues related to supporting your child's education outside of school, what to plan for your child's future, how you can improve your own skills, and how to obtain needed resources that your family needs to stay strong.

There will be several opportunities through the year for parents to hear from the "experts" about important topics that parents need to know. A parent survey is completed each year to let you inform the school about the topics you need to learn about the most. We will schedule professional speakers from the community to meet with you and provide the information you need.

The community & parent involvement coordinator will meet with you and your child at home one or two times per year, and more if there is a need. During this time, you may have frank discussions about the educational and social needs of your family. This is also a time to have homework questions answered, get help in using technology to connect with the school, and help in setting up routines for school success.

Parents will be given the opportunity to confer with their child's Title I instructors and classroom teachers. Parents will be informed of the program that has been designed for their child and his/her progress will be reported. Parents will be encouraged to visit the Title I classrooms and to volunteer in school activities.

Evergreen Academy will offer flexible schedules for meetings, such as parent conferences on teacher workdays and opportunities for meetings in the evening, so that meaningful consultation may occur with parents of eligible children.

## **VIII. THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

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### ***Notification of Rights for Elementary and Secondary Schools***

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

[NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

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[NOTE: In addition, an institution may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

### ***FERPA Notification***

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Evergreen Academy, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, The Evergreen Academy may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary. The primary purpose of directory information is to allow The Evergreen Academy to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets

The following information is considered "Directory Information"

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

Footnotes: 1. These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C.503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.



## **Transportation Plan and Policy**

The Evergreen Academy will not initially offer transportation to its students. The only student population that will require special consideration for transportation services will be those with disabilities. The school will contract for bus services, will subcontract with a transportation agency, or private carrier to assure students can get to and from school.

We will follow all codes as set forth below as retrieved from the IDOE website:

### **IC 20-27-9-7**

#### **Developmental disability**

(b) A special education cooperative operating under IC 36-1-7, IC 20-35-5, or IC 20-26-10 or a school corporation may enter into an agreement with a state supported agency serving persons with a developmental disability in which a school bus or special purpose bus used by the special education cooperative or school corporation may be used to transport persons with a developmental disability who:

(1) are at least two (2) years of age; and

(2) live within the boundaries of the special education cooperative or school corporation; to and from programs for persons with a developmental disability.

(c) An increased cost of transportation for persons with a developmental disability shall be borne by the persons transported or the state supported agency serving persons with a developmental disability. However, a person with a developmental disability may not be required to pay for transportation provided under this section if the required payment is contrary to law.

*As added by P.L.1-2005, SEC.11. Amended by P.L.2-2006, SEC.136; P.L.99-2007, SEC.172.*

## **Food Services Plan and Policy**

The Evergreen Academy will offer nutritious lunches to the students enrolled. It is our intent to become part of the National School Lunch Program. Each student will complete an application for free and reduced lunches. The Business Services manager will assign the appropriate category to the family for entry into the system for state food reimbursement.

The school will initially contract with a vendor for all meals served until the time it is more cost effective to hire food service workers and use a fully operational kitchen in the school building. A nutrition consultant will assist in creating menus with the caterer to assure children receive the proper amount of food portions from the correct food groups.

Any allergies to foods will be noted and posted in the food service area. Substitutions will be ordered for children who cannot eat what is on the menu for the day.

Healthy food choices will be planned for meals and snacks. In the summer months it is the intention of the Evergreen Academy to have students assist in growing produce for consumption at the school.

Once our school is approved to participate in the National School Lunch Program, staff members who will have duties assigned to operate the program will attend all necessary training to ensure that the Evergreen Academy is in compliance with all food program requirements.

## Promotion/Transition Policy

The Evergreen Academy will be a K-8 building and will house self-contained classrooms. There is a possibility for teacher teams in all grades, which will be determined by teacher strength. Since there will be no difference between elementary and middle grades the grade span transition will not be an issue for our building.

The transition to each grade level for general education students will be determined by several factors:

- Teacher Accountability – did the teacher make parental contacts and implement interventions for this student.
- Acuity Score growth throughout the year
- Attendance
- Discipline Record
- Classroom Grades
- Parental Input

After all factors have been taken into consideration the School Leader in collaboration with the classroom teacher will make the decision to either promote or retain the student of concern.

The promotion/retention of special education students will be determined in the year end case conference by the conference committee.

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## School Start-up Plan

Month	Task	Who will do it?	Timeline	Resources needed
January 2012	Contract for insurance for the school	Board President	January 15	Alexandria School Corp.; Insurance companies for quotes
	Contact Ball State OCS and State for schedule of training for School Leader and Special Ed Supervisor	School Leader	January 15	List of dates for trainings
	Inform the community about new school	School Leader, Board President	January-August	Newspaper contacts; Chamber of Commerce for mailing lists; Radio contacts
	Apply for Common School Loan	School Leader; Board President	January 30	Loan application procedures
	Meet with Bookkeeping Plus to set up accounting system.	School Leader, Business Mngr.	January 15	Bookkeeping Plus staff; funds from State for Start-up
	Rent office equipment	School Leader	January 30	Funds from State for Start-up
	Revise all policies and manuals for the school and board approve them.	School Leader, Special Ed. Supervisor, Business Mngr., Board members	February 28	Copies of manuals and policies
	Create Evergreen Job application form and	Business Mngr; Bookkeeping Plus	January 30	Paper, copy machine, Bookkeeping Plus, staff

	acquire all new employee paperwork needed from state and local sources.			
February 2012	Begin search for new support staff and teachers	School Leader, Business mngr., Board President	February-May	Newspaper ads, websites for job-boards
	Work with landlord to plan improvements to building for phase 1 remodeling	School Leader, Board President	February-August	Landlord; architects, city engineer
	Call for internet service providers to quote fitting the facility with high speed wiring.	School Leader; Building owner	February 28	ISP Providers; start up funds from the state
	Build school website	School Leader	February 28	Vendor
March 2012	Create all enrollment forms, student forms, HR forms.	Business Mngr.	March 15	
	Order classroom and office furnishings & materials & supplies	School Leader; Business Mngr.	March 30	Equipment and supply vendors; money
	Interview candidates for teaching and support	School Leader; Board President	March 1-August 1	Space for interviews
April 2012	Begin student recruitment campaign	All staff	April-August	Marketing materials; attendance to community events; radio ads
	Schedule days at Camp	School Leader	By April	Contact person for Camp

	Webster for Opening Activities with Staff and Students		15	Webster
	Contract for Food Services	Business Manager	By April 30	Food Vendor
	Continue to hire staff	School Leader		
	Order computers for students	School Leader, Business Manager	By April 30	Computer suppliers
May 2012	Order software and licenses	School Leader, Business Manager	By May 15	School vendors
	Order school uniform shirts	School Leader, Business Manager	By May 10	Vendors
June 2012	Hold first open house for community	Board President, School Leader, staff members	By June 15	Partially finished school-one or two completed classrooms
	Begin professional development with staff	School Leader, Special Education Supervisor, Vendors	June-August	Trainers (software, curriculum, hardware, Special ed. Spvsr)
	Begin generating class lists and teacher assignments	School Leader, Special Education Supervisor	June	Enrollment applications
July 2012	Begin home visits with enrolled students and families	Community and Parent Involvement Coordinator	July-August	Family information
	Begin entering students in the student database	Support staff	July-August	Enrollment Applications
	Call fire department for	Business Manager	July 15	

	inspections			
	Make all necessary improvements to pass fire code	Business Manager	July 30	Task list; contractors
	Schedule health department for building inspection	Business Manager	July 15	Task List; contractors
	Contract for landscaping	Business Manager	July 30	Donated plants from local nurseries
August 2012	Send out calendar & information for Camp Webster	School Leader, support staff	August 5	Student enrollment information
	Continue PD activities	School Leader, Vendors, Dr. Fisher	August	Staff and trainers
	Call for re-inspections of facility	Business Manger	August 3	Completed work
August 13	Family Open House	All staff		
August 15	First day for teachers	All staff		
August 16	First day for students			